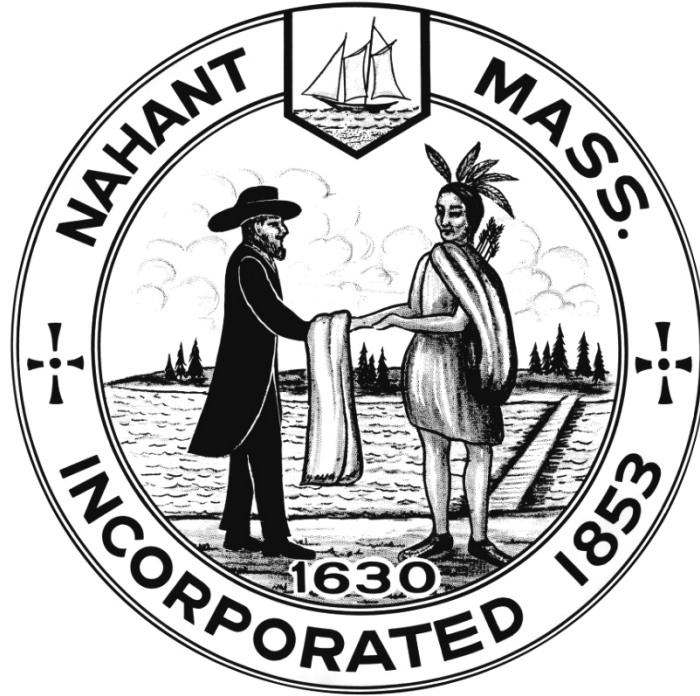


**Report and Recommendations of the  
Advisory and Finance Committee**



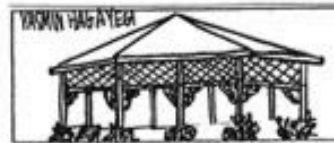
**Town of Nahant Massachusetts**

**Annual Town Meeting**

**Saturday, May 15th, 2021 12:00pm**

"Wherever you go, your memories from the place you grew up in always remain special."

The **GAZEBO** is to many reminiscent of joyous times, heavenly summers, filled with pure sentiments and colorful emotions.  
- Yasmin Hagayegi



As the ocean waves crash, **CANOE BEACH** stands there with its rocky shores and deep sea to play in.  
-Madison Marsh



The sun shines on your face as you walk through the trees. Small children run, as you hear the birds chirping. The **HERITAGE TRAIL** is a special place.  
-Penelope Martell



As the waves crash up on the wall and boats come in and out, **THE WHARF** is a great place spend a beautiful sunny day.  
-Callia Fiore



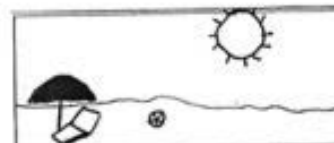
**FORTY STEPS** is the place to be as the sun rises into the sky to light the cliffs and water sends the seaglass surging onto the shore.  
-Brayden McCarthy



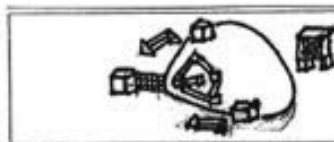
**FLASH ROAD PARK** is where the kids go to play. As you run down to the field you can feel the warm ocean breeze on your face and hear the kids laughing in the distance on the play structure as you shoot hoops. What a great place.  
-Noah Bascon



As I surf on a crashing wave, I see the people. Happy people, laughing people, all having fun on our beloved **SHORT BEACH**  
-Ashley Sherlock



A place where people had fun in the past, and games were played year after year. The **NAHANT BASEBALL FIELD** is a great place for memories and good times.  
-TJ Ballantine



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There are 43 Articles and 22 CPC sub-Articles for this Annual Town Meeting. For each Article, we present the text of the Article as adopted by the Board of Selectmen, followed by the Advisory and Finance Committee’s Recommendation, and conclude with any Supporting Statement provided.

In the Appendices, you’ll find additional information pertinent to a number of these Articles. The name shown in the chart below is the name found in parenthesis next to the cited Warrant Article.

Once the Board of Selectman vote on the final Warrant no further changes can be made to the Warrant, including grammar, formatting or otherwise.

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## **What to expect at the Annual Town Meeting on May 15<sup>th</sup> and 16<sup>th</sup>, 2021**

Location: The soccer field behind the Nahant Fire Station at Flash Road Park

When: May 15<sup>th</sup> and 16<sup>th</sup>, 2021 at 12:00 PM – Check-in will open at 11:00 AM

### Things to know:

-All attendees over the age of 5 must wear face coverings in accordance with COVID-19 Order No. 31 and the Department of Public Health’s Guidance at all times and while entering and exiting Annual Town Meeting, except where a person is unable to wear a face covering because of a medical or disabling condition.

-Seating will be arranged to allow for social distancing and only members of the same household may be allowed to sit together.

-No person that should be in quarantine under any State or local mandate, including due to travel, will be allowed to enter Annual Town Meeting. A person who should be in quarantine may have a representative speak on their behalf pursuant to Section 10 of Article 2 of the Nahant General By-Laws. Please keep in mind that Section 10 of Article 2 of the Nahant General By-Laws does not allow for such representative to vote on behalf of another.

-The check-in location will be divided into multiple lines, require social distancing, and starts near the Flash Road parking lot and directed towards the ball field.

-There will be orderly entering and exiting of the meeting space in a manner that encourages social distancing. We will have one-way aisles or will otherwise direct attendees to follow certain pathways for entering and exiting the meeting. Staff will direct successive, row-by-row exiting.

-Lines at microphones for questions or comments will be marked to provide for social distancing and microphones will be disinfected after each speaker.

-Lines at restroom facilities will be marked to keep people six feet apart and restrooms will be marked to show that has been disinfected and ready for use.

-Traffic in the Flash Road parking lot will be one direction, coming from Flash Road and going behind the Department of Public Works towards the Johnson Elementary School.

-Parking will be available in the Johnson Elementary School parking lots, and on Flash Road (school and park side only).

-Handicap and elderly parking is available in the Flash Road parking lot.



April 16, 2021

Dear Friends and Neighbors:

On March 19, 1921, the women of Nahant voted for the first time at Town Meeting and let their voice be heard. The flying horses on the Carousel at Bass Point were dismantled and shipped to Worcester. There were 30 Articles in the 1921 Town Warrant. Article 7 moved for an appropriation of \$1,200 to construct the sea wall on Marginal Road. Article 13 asked the Town to accept section 111 of the General Laws entitled 'Public Health'. This was on the heels of the Spanish Flu pandemic and World War I. The total town budget was \$120,505. Those were the days.

Last year, due to the COVID pandemic, Annual Town Meeting was delayed until September. The Warrant was drastically scaled back to 16 Articles, to include only those Articles essential to the fiscal operation of the Town. As a result, the 2021 Warrant contains two years of Articles. It also presents a balanced budget with an increase to the Town's Stabilization Fund of \$125,000, in line with goals set when the Town passed the Proposition 2 ½ override in 2019.

This year there are 43 Articles with 22 Community Preservation Committee (CPC) Sub-Articles. Given this number of issues for voters to decide, Town Meeting may take at least two days to complete. We urge residents to plan on attending all days to ensure a quorum.

Articles of note this year are:

- Article 20, Coast Guard Design and Development Advisory Committee (CGDDAC) which recommends a plan for the development of the property on Castle Road and Goddard Drive, known as the Coast Guard Housing.
- CPC Sub-Article 21V, which recommends appropriation through borrowing \$1,500,000 to pay a portion of the costs of the land located at 430 Nahant Road...and an easement for beach purposes.
- Article 22, to see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, negotiated purchase, eminent domain taking...all or a portion of the land located at 430 Nahant Road.

The Advisory and Finance Committee spent many hours deliberating these Articles. We appreciate the efforts of the CPC, which spent many hours considering the numerous grant applications they received and making their recommendations. Similarly, the CGDDAC spent four years researching the best outcome for the Town in regard to the Coast Guard Housing. These committees are comprised of volunteers who went above and beyond in their commitment to the Town. We encourage voters to take the time to read each Article, recommendation, and supporting statement in this Warrant.

We would also like to express our appreciation to the Town's Health Agent, John Coulon, Town Nurse, Deb Murphy, and the scores of volunteers who administered to our seniors, students, and residents in

all matters relating to COVID 19. The army of special people who delivered meals, made appointments for vaccinations, worked at vaccination and testing sites, drove those in need to testing sites and other medical appointments, and provided many other services are to be commended. Our hats are off to these incredible volunteers.

Additionally, we sadly bid farewell to retiring Police Chief Robert Dwyer, who served Nahant faithfully for over 20 years with professionalism, kindness, and compassion. He will be greatly missed. Replacing him is Officer Tim Furlong, who has served the town well to date and will continue the open and friendly relationship between the Police, residents, and visitors. Acting Fire Chief Dean Palombo will also be retiring from the Department. We wish him a very happy retirement after many years of dedicated service to the Town.

Finally, we are saying goodbye to long-time Town Accountant Deb Waters, who has retired after a life of deep commitment to the financial well-being of Nahant. Her wealth of knowledge and pleasant persona made newcomers and old-timers feel welcome in her office at Town Hall. As busy as she always was, she made time for all questions about finances and was a key player in keeping Nahant fiscally sound. We are happy to welcome Deb's replacement, Alison Nieto. Alison, who grew up in town, was able to step right into this role and has been a wonderful addition to the FinCom's deliberations this year, continuing the welcoming atmosphere in the Accountant's office.

We encourage your participation in the Annual Town Meeting on Saturday, May 15<sup>th</sup> at the Flash Road Playground area.

Respectfully submitted,

John Fulghum, Co-Chair  
Robert Vanderslice, Co-Chair  
Julie Tarmy, Secretary  
Barbara Beatty  
DeWitt Brown  
Jeff Lewis  
Dana Sheehan  
Judy Zahora

**Town of Nahant**  
**Annual Town Meeting Warrant**  
**May 15, 2021**  
**12:00 pm**

**GREETINGS:** In the name of the Commonwealth of Massachusetts, you are hereby required forthwith to warn the inhabitants of the Town of Nahant, qualified as the law directs, to assemble at the Flash Road Park, 67 Flash Rd, Nahant Massachusetts for the Annual Town Meeting on Saturday the 15th day of May, 2021, for to act on the Articles in this warrant at 12:00 p.m. that same day.

**ARTICLE 1. (FY 2021 Transfers)** To see if the Town will vote to raise and appropriate, and/or appropriate from available funds in the treasury, and/or transfer the following sums, or take any other action relative thereto.

**NO RECOMMENDATION:**

At the time this book went to print, transfer requests had not been finalized. Inter-departmental transfers are anticipated and the Advisory and Finance Committee intends to produce a recommendation prior to the Annual Town Meeting. The Committee will provide specific details and explain the nature of the transfers and our recommendation(s) in our motion at Town Meeting.

**ARTICLE 2. (FY2021 Snow & Ice)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, and/or transfer from available funds, a sum of money for the FY2021 snow and ice account, or take any other action relative thereto.

**NO RECOMMENDATION:**

Each year, the Town appropriates a sum for snow and ice removal. Under Massachusetts State law, we are allowed to overspend this budget. In FY2022, we are appropriating \$30,000, compared to an actual expense of \$57,125 in FY20. Funds required to cover the deficit in this account come from available sources, not anticipated revenue. At the time this book went to print, snow and ice totals for FY2021 had not been finalized.

**ARTICLE 3. (Prior Year bills)** To see if the Town will authorize the payment of prior Fiscal Year bills, or take any other action relative thereto.

**NO RECOMMENDATION:**

At the time this book went to print, transfer requests had not been finalized. Inter-departmental transfers are anticipated and the Advisory and Finance Committee intends to produce a recommendation prior to the Annual Town Meeting. The Committee will provide specific details and explain the nature of the transfers and our recommendation(s) in our motion at Town Meeting.

**ARTICLE 4. (Salary & Classification Plan)** To see if the Town will vote to amend the Nahant Town By Laws, Article XIII, Section 5, Subsection B, entitled “Chart of Classification and Salaries” for the fiscal year beginning July 1, 2021, or take any other action relative thereto.

**RECOMMENDED:**

This recommendation discusses the salaries and wages of all non-elected employees even though this Town Meeting cannot change the terms of the union contracts or the other agreements. The Advisory and Finance Committee believes this comparative presentation is important to help assure salary equity among positions subject to different approval and funding mechanisms.

The Town must take two steps before actually paying employees:

1. Set the rate of pay. This simply establishes how much the Town may pay an employee but does not authorize an expenditure of funds to actually pay the employee.
2. Fund the line items containing the wages. Most salaries and wages are now included in the various bottom line department budgets in Article 6 (the Omnibus Budget). Approving the line items containing salaries and wages authorizes their payment.

The Town may set the rate of pay (step 1, above) using any of four mechanisms, each with its own approval mechanism. The four mechanisms to set rate of pay are:

<u>Rate Setting Mechanism</u>	<u>Approval Mechanism</u>
1. A Classification and Salary Plan covering many clerical and professional positions.	This Article 4
2. Collective bargaining agreements with the firefighters', police, DPW and teachers' unions.	Collective bargaining agreements ratified by Town Meeting or School Committee
3. Individual contracts with various Town government agencies.	Direct agreement between employee and Town agency
4. Elected officials.	Article 5

**Positions subject to the Classification and Salary Plan Fiscal Year 2022**

POSITION	STARTING SALARY RANGE	MAXIMUM
	MINIMUM – MAXIMUM (\$)	SALARY (\$)
Town Administrator	97,635-120,462	145,330
Accountant	83,013-113,918	123,552
Treasurer / Collector	69,181-84,406	102,981
Police Chief	92,976-114,392	138,382
Fire Chief	83,013-113,582	123,552
DPW Superintendent.	83,013-101,275	123,552
Town Assessor	69,181-84,406	102,981
Administrative Assistant	43,597-53,186	64,896
Clerk/Dispatcher	43,597-54,309	64,896
Head Librarian	60,154-77,520	89,523
Information Technology	28,850-55,000	63,150

Position	Salary Range (\$)
Town Engineer	8,000 - 20,000
Reference and Adults Service Librarian	16,500 - 56,430
Animal Control Officer	8,300 - 10,400
Assistant Animal Control Officer	3,000 – 6,600
Council on Aging Coordinator	27,170 – 56,430
Health Inspector	8,000 – 15,100
Assistant Health Inspector	500 – 750
Public Health Doctor	500 – 750
ADA Coordinator	500 – 750
Inspector of Buildings	9,500 – 15,000
Inspector of Plumbing and Gas	3,500 – 6,000
Inspector of Wiring	3,500 – 6,000
Alternate Inspector of Buildings	4,500 – 6,000
Alternate Inspector of Plumbing and Gas	1,800 – 2,600
Alternate Inspector of Wiring	1,800 – 2,600
Assistant to Inspectors	28,662 – 42,661
Harbormaster	1,100 – 3,000
Wharfinger	1,100 – 3,000
Assistant Harbormaster	400 – 1,000
Assistant Wharfinger	400 – 1,000
Board of Registrars, Clerk	1,500
Board of Registrars, Chairperson	200 – 310
Board of Registrars, Member	150 – 210
Veterans' Agent	5,000 - 9,000
Clerical Assistant/Assessor's Office	15,000 – 42,661



Position	Daily Rate (\$)
School Traffic Guide	30.00
	Hourly Range (\$)
Assistant Librarian	13.50 – 16.00
Clerical, Part Time	13.50 – 15.00
Keeper of the Lockup	13.50 – 16.22
Police Matron	13.50 – 16.22
Public Works Labor, Part Time	13.50 – 16.00
Public Works Labor, Part Time Skilled	13.50 – 20.00
Election Worker	13.50 - 15.00
Library Page	13.50 - 15.00
Sailing Supervisor	13.50 - 15.00
Sailing Instructor	13.50 - 15.00
Playground Supervisor	13.50 - 15.00
Playground Instructor	13.50 - 15.00
Public Health Nurse	50.00
Assistant Public Health Nurse	40.00
Conservation Commission Agent	13.50 - 15.00

\* Minimum hourly wage will increase to \$14.25 per hour on January 1, 2022 in accordance with the Massachusetts minimum wage

### 1. Wage rates established by collective bargaining

The Town has negotiated contracts with three unions, police, fire and public works. The School Committee negotiated collective bargaining agreements with the teacher's union and the Educational Support Professionals. The wage rates set in these contracts are not individually subject to change by the Town Meeting. The FY22 salary for all non-school unions are as follows:

Position	Step 1	Step 2	Step 3	Step 4
Department of Public Works and Clerical Employees				
Laborer	42,647.52	44,367.81	46,128.13	47,848.43
Skilled Laborer	48,048.45	49,768.75	51,569.06	53,369.39
Mechanic I	51,128.10	52,831.35	54,673.74	57,349.69
Foreman	53,849.48	55,569.77	57,490.11	59,290.44
General Foreman	67,489.12	69,652.25	71,812.64	74,005.24
Mechanic II	63,047.87	64,296.35	66,225.26	68,212.01
Asst. Treasurer / Asst. Accountant	54,425.00	55,513.91	56,624.19	57,756.67
Administrative Assistant	44,469.00	45,358.32	46,265.49	47,190.79
Police Department				
Patrolman / EMT	56,309.32	58,250.88	60,192.43	62,129.99
Sergeant / EMT				68,437.27
Lieutenant / EMT				75,281.03

Position	Step 1	Step 2	Step 3	Step 4
Fire Department				
Firefighter	52,112.74	53,909.63	55,706.46	57,499.36
Firefighter / EMT –B	55,791.90	57,715.67	59,639.37	61,559.18
Sr. Private FF/EMT B				68,495.60
Lieutenant/EMT-B				69,254.06
Captain / EMT – B				76,948.93

Union employees typically receive from the Town more than the base salary listed above. Overtime and standby pay add to the base salary. Police Officers earn additional pay for detail work. Detail work is not funded with tax dollars, but paid for by contractors, utilities or others who request the police detail. The range of gross pay from the Town based on payroll records for calendar year 2020 was:

Position	Range
Police Officer	\$90,146.71-146,138.28
Firefighter	\$75,899.06-128,077.30
Public Works Employee	\$65,096.02-114,525.21

The teachers’ salary schedule for **FY22** is as follows:\*

	B	B + 15	M	M + 15	M + 30 CAGS	M + 45 CAGS	M + 60 CAGS
1	49,933	51,282	53,801	55,085	59,323	62,776	65,285
2	52,935	54,296	56,699	58,848	62,331	65,785	68,416
3	55,949	57,306	59,773	61,865	65,344	68,762	71,482
4	58,954	60,318	62,786	64,876	68,351	71,802	74,675
5	61,682	63,328	65,795	67,888	71,355	74,808	77,801
6	64,982	66,334	68,806	70,891	74,374	77,826	80,937
7	67,992	69,346	71,819	73,908	77,380	80,833	84,064
8	70,997	72,358	74,825	76,918	80,392	83,844	87,199
9	74,016	75,363	77,832	79,914	83,338	86,849	90,323
10	77,053	78,376	80,845	82,937	86,416	89,868	93,463

\*The above pay scale is based on a 2.5% increase over FY21 salaries; the FY22 contract is currently being negotiated

B = Bachelor’s Degree  
 +15 = Fifteen Graduate Credits  
 +45 = Forty-Five Graduate Credits  
 CAGS=Certificate of Advanced Graduate Study  
 M = Master’s Degree  
 +30 = Thirty Graduate Credits  
 +60 = Sixty Graduate Credits

The teachers’ contract also has a longevity clause calling for annual payments depending on years of service. The range of gross pay from the Town based on payroll records in calendar year 2020 was \$47,482.71-\$90,244.06.

The Educational Support Professionals (ESP) contract covers six to nine employees, depending on the year. Currently there are six employees covered by this union contract for hourly pay range for **FY22** as follows\*:

<b>Educational Support Professionals</b>	<b>Hourly Range (\$)</b>
Education Support Professionals	\$18.27– 21.48

\*The above pay scale is based on a 2.5% increase over FY21 salaries; the FY22 contract is currently being negotiated

## **2. Other agreements**

The School Committee has an individual contract with the Superintendent expiring June 30, 2021. The School Committee will negotiate the salary with the Superintendent after Town Meeting and approval of the FY 22 budget. The current agreement is as follows:

<b>Position</b>	<b>FY21 Annual Salary</b>
School Superintendent (100 days per year)	\$54,684.00

The Superintendent negotiates contracts for other employees. These agreements expire June 30, 2021 and are as follows for FY21. **The Superintendent will negotiate these salaries after Town Meeting and approval of the FY 22 budget.**

<b>Position</b>	<b>FY21 Annual Salary</b>
Director of Special Education (50 days per year)	\$486.00 Daily
Johnson School Principal (220 days per year)	\$115,671.00
Administrative Assistant for Business and Finance	\$50,254.00
Administrative Secretary	\$37,694.00
Food Service Coordinator	\$21.91 per hour
Custodian 1	\$21.00 per hour
Custodian 2	\$21.89 per hour

## **3. Health Insurance**

The Town pays a portion of health insurance for most full-time employees. During fiscal 2022 the Town Administrator has budgeted an increase of 5% for health insurance costs. Based on this, the Town’s share of annual health insurance premiums will be \$7,707.80 for individual coverage and \$20,655.68 for family coverage. The Town has only limited control over this expense because the type of coverage is dictated by the employment or union contracts and the insurance carriers set the rates. The Town is required to pay a minimum of 50% of each employee’s insurance premium by state law.

**Article 5. Compensation For Elected Positions:** To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, as provided by Section 108, Chapter 41 of the General Laws, as amended, and raise the money therefore, or to take any other action thereto.

**RECOMMENDED** The Finance Committee recommends fixing the salaries of elected officials at:

Position	Annual Salary
Selectman	\$1.00
Constable	\$50.00
Assessor	\$1.00
Town Clerk	\$61,851

**ARTICLE 6. (Omnibus)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds such sums of money as may be necessary to defray Town charges for the fiscal year beginning July 1, 2021, or take any other action relative thereto.

**RECOMMENDED:**

The Advisory and Finance Committee recommends that the Town adopt the budget presented in this book immediately following the Warrant and our recommendations.

**ARTICLE 7. (Water & Sewer Enterprise)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds a sum of money to operate the Water and Sewer Enterprise Fund for the fiscal year beginning July 1, 2021, or take any other action relative thereto.

**RECOMMENDED:**

The Advisory and Finance Committee recommends passage of this Article. This Article allows the transfer of collected Water/Sewer usage fees and the transfer from General Funds (Debt Portion) to the Water/Sewer Enterprise Fund. The following will be appropriated for the direct expenses associated with the Water/Sewer Enterprise Fund:

**Water And Sewer Enterprise Fund FY22**

Salaries:	\$ 423,103.00
Expenses:	\$1,366,586.00
Capital Outlay:	\$ 30,000.00
Debt:	\$ 793,807.00
Emergency Reserve (uncollectible)	\$ <u>40,350.00</u>

Subtotal Appropriated in W/S Fund \$2,653,846.00

And that \$2,091,225.00 is raised as follows:

Water and Sewer Department Receipts:	\$2,090,625.00
Investment Income & Water Meters	\$ 600.00
And Usage of Available Water and Sewer Funds	\$ <u>0.00</u>
<b>Totaling</b>	<b><u>\$2,091,225.00</u></b>

The estimated FY 22 rate for Water is \$9.92 and the rate for Sewer is \$14.08 which is a change from \$9.37 for

Water and \$11.99 for Sewer in FY 21. A 12.4% increase for the overall combined rate. All Water and Sewer rates are based on price per 100 cubic feet. For further clarification, 1 cubic foot equals 7.48 gallons.

The current Water and Sewer Enterprise Reserve Fund contains \$275,976.00. (NOTE: Of this amount, \$48,000.00 is to be appropriated via Article 2 for FY2021 Snow and Ice (to pay for part of the new backhoe), and \$30,000.00 is to be appropriated via Article 8 for Water/Sewer paving, and \$112,000.00 is to be appropriated via Article 19 for half of the new backhoe and the new Water/Sewer utility truck).

The Advisory and Finance committee is hoping the town will move toward paying for the debt exclusion through annual water & sewer capacity fees, as opposed to water rates, charged to the 3,500 water and sewer rate payers and any additional daytime workers and students that benefit by the capacity improvements. The challenges are to make this fair for all by charging all water and sewer related costs, capital and operating, based on consumption, and to do this with as little impact to residents as possible (water and sewer rate increases offset by tax decreases). We believe that an occupancy basis is a more equitable means of paying for infrastructure expenditures. Again, we recommend this article and will continue to encourage town management to see the value of the change in the coming year.

**ARTICLE 8. (Water/Sewer - Equipment and Paving)** To see if the Town will vote to appropriate from retained earnings in the Water and Sewer Enterprise Fund a sum of \$30,000 for paving throughout Town, including all costs incidental to or related thereto, or take any other action relative thereto.

**RECOMMENDED:**

The Advisory and Finance Committee recommends passage of this Article. The Article is specifying the amount to be used for the replacement of supplies and street paving necessitated by water and sewer work. This is the fourth year of specifying an amount for repair of streets for the Water/Sewer Enterprise funds.

**ARTICLE 9. (Rubbish Enterprise)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, including retained earnings of the Rubbish Enterprise. a sum of money to operate the Rubbish Enterprise Fund for the fiscal year beginning July 1, 2021, or take any other action relative thereto.

**RECOMMENDED:**

The Advisory and Finance Committee recommends passage of this Article. This Article allows the use of rubbish enterprise usage fees for the following purposes:

**Rubbish Enterprise Fund FY22**

Salaries:	\$ 60,577.00
Expenses:	\$506,550.00
Capital Outlay	\$ 0.00
Debt	\$ 0.00
Emergency Reserve-uncollectible	\$ <u>0.00</u>
Total	<u>\$567,127.00</u>

And that \$567,127.00 is raised as follows:

Rubbish Department Receipts:	\$566,927.00
Investment Income:	\$ 200.00
And Usage of Available Rubbish Funds	<u>\$ 0.00</u>
Totaling	<u>\$567,127.00</u>

The current Rubbish Enterprise Reserve Fund contains Retained Earnings of \$221,416.00. (NOTE: Of this amount, \$50,000 is to be appropriated via Article 10 for the Compost area and \$75,000 is to be appropriated via Article 11 for recycling carts).

**ARTICLE 10. (Compost Area)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, including retained earnings of the Rubbish Enterprise, the sum of \$50,000 for the costs associated with the maintenance of the compost area, or take any other action relative thereto.

**RECOMMENDED:**

The Advisory and Finance Committee recommends passage of this Article for the costs associated with the maintenance of the compost area and that the appropriation of \$50,000 be appropriated from the Retained Earnings Account of the Rubbish Enterprise Fund. This will complete the process started in 2019 to clean out the compost area to ensure flood water absorption in this area. It is further recommended that the Town re-examine the use of this lowland area as a fee-for-service composting site, requiring a resident beach sticker to gain entrance. Also, it would be beneficial to the Town if this area became a true composting site, resulting in useable compost to be accessed by residents of the Town with beach stickers.

**ARTICLE 11. (Recycling Carts)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, including retained earnings of the Rubbish Enterprise, the sum of \$75,000 for the costs associated with the purchase of recycling carts, or take any other action relative thereto.

**RECOMMENDED**

The Advisory and Finance Committee recommends passage of this Article. This Article will enable the Town to provide 64-gallon wheeled recycling bins to every household. This is being done for several key reasons. #1) The typical blue recycling bins have proven themselves too small for the ever-growing amount of recycling material that the typical homeowner generates. #2) The current use of bins and private recycling containers are often unable to keep and contain recycling materials in the bin when items are put out on what are very often very windy days causing a tremendous amount of plastic and paper materials to be spread about the Town. The new bins are heavy enough to endure the winds and will have permanent and secure lids. #3) The Town is moving toward a standardization of trash and recycling containers which will enable the Town to negotiate a more favorable rate with haulers who may be able to include some automation into the trash and recycling pick-up process.

**ARTICLE 12. (Recreation Revolving)** To see if the Town will vote to accept M.G.L. Chapter 44, section 53D, thereby reauthorizing Parks and Recreation revolving accounts for general recreation, basketball, sailing, tennis, Fourth of July, tot lots, playground equipment, and Youth Commission, or take any other action relative thereto.

**RECOMMENDED**

The Advisory and Finance Committee recommends passage of this Article. This authorizes the use of revolving funds for the several recreation-related programs listed above. Doing so is in line with customary accounting practices and allows the Town to keep track of fees collected and expenses incurred by each program.



**ARTICLE 13. (Amend Article IV of the General By-Laws and Establish Fiscal Year Spending Limits)** To see if the Town will vote pursuant to Massachusetts General Laws Chapter 44, §53E½ to: (1) amend Section 8 of Article IV of the General By-Laws of the Town by establishing and authorizing two new revolving funds for use separately by the Board of Appeals and the Conservation Commission; and (2) establish fiscal year spending limits for such funds, all as set forth below; or take any other action relative thereto.

(1) Amend Section 8 of Article IV of the General By-Laws by adding:

C. Authorized Revolving Funds.

<b><u>FUND</u></b>	<b><u>REVENUE SOURCE</u></b>	<b><u>AUTHORITY TO SPEND FUNDS</u></b>	<b><u>USE OF FUNDS</u></b>
Board of Appeals Revolving Fund	Fees paid pursuant to the Zoning Act or Zoning By-Laws	Board of Appeals	To pay for the expenses required for training, processing applications, holding hearings, etc.
Conservation Commission Revolving Fund	Filing fees paid pursuant to the Wetlands Protection Act	Conservation Commission	To pay for consultant fees, expenses, etc. for administration and enforcement of the Wetlands Protection Act

(2) Vote to Establish Fiscal Year Expenditure Limits. (Note: This action is not a by-law amendment.)

And, further, to establish FY2022 fiscal year spending limits for such funds in the amounts indicated, with such limits to be applicable from fiscal year to fiscal year unless adjusted by Town Meeting prior to July 1 for the ensuing fiscal year, as follows:

<b><u>FUND</u></b>	<b><u>SPENDING LIMIT</u></b>
Board of Appeals Revolving Fund	\$10,000
Conservation Commission Revolving Fund	\$20,000

**RECOMMENDED:**

A vote for this Article will amend Section 8 of Article IV of the General By-Laws of the Town by adding two new revolving funds to be used separately by the Board of Appeals and Conservation Commission and to add fiscal year expenditure limits. The two funds allow authorized expenses, supported by resources from required fees, to be paid out more easily for authorized expenses. The vote for fiscal year expenditure limits (not a By-

Law) caps how much the Board of Appeals and Conservation Commission can use for these authorized expenses.

**ARTICLE 14. (OPEB)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds the sum of \$25,000 to the Other Post-Employment Benefits Liability Trust Fund, or take any other action relative thereto.

**RECOMMENDED:**

Accounting standards promulgated in 2004 by the Governmental Accounting Standards Board (GASB) required the Commonwealth to begin disclosing its liability for other post-employment benefits (commonly referred to as "OPEB") in its fiscal 2008 financial reports. This essentially accrues the growing obligation of Health Insurance costs for retirees and future retiring employees. Although full funding of the obligation has not been fully mandated yet, the liability grows every year. The establishment and demonstrated commitment to the funding of this growing liability, first appropriated in FY20, is considered positively by financial and lending institutions and can play a role in the determination of our bond rating and debt interest rates. Therefore, the Finance Committee recommends the contribution to the OPEB trust fund in the amount of \$25,000 in FY2022. The current balance of the OPEB fund, before the FY2022 Appropriation, is \$ 53,472.29

**ARTICLE 15. (Stabilization)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds the sum of \$125,000 to the Stabilization Fund, or take any other action relative thereto.

**RECOMMENDED:**

Massachusetts law provides for the establishment and the ongoing funding of Stabilization Funds for cities and towns. Last year in FY2021, the Advisory and Finance Committee recommended and unanimously supported the funding of the stabilization fund for \$100,000. Town management continues their commitment set two years ago and the Advisory and Finance Committee enthusiastically supports the ongoing funding with \$125,000.

The current balance of the Stabilization fund, before the FY2022 Appropriation, is \$294,595.29.

A goal of the Advisory and Finance Committee is to establish fiscal policies to specify how and when these funds can be used.

**ARTICLE 16. (Paving)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing, a sum of \$100,000, for paving throughout Town, including the payment of all incidental or related costs, or take any other action relative thereto.

**RECOMMENDED:**

The Advisory and Finance Committee recommends passage of this Article. A vote to approve this Article will allow the Town to use both the appropriation (\$100,000) and state Chapter 90 money to continue the established Pavement Management Program.

**ARTICLE 17. (Town Hall Capital – Municipal Finance Software)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$350,000, or any other sum of money, to purchase and install a Municipal Finance Software and applications, including the payment of all incidental or related costs, or to take any other action relative thereto.

**RECOMMENDED:**

The general ledger is the backbone of an organization’s finances. For maximum efficiency and transparency, you need to capture transactions once in a way that is fully documented, completely traceable, and accessible to everyone within town government and community. The Advisory and Finance Committee fully supports the acquisition and implementation of a fully integrated ERP (Enterprise Resource Planning) and accounting system designed for government, that meets GAAFR (Governmental Accounting Auditing and Financial Reporting) and (GAAP) Generally Accepted Accounting Principles standards.

Town Hall has been operating for many years on an antiquated software system, often creating difficulties in generating reports in a timely manner, coordinating expense reporting with Town departments, tracking different accounts, and generally slowing down business as usual. This much needed upgrade would increase productivity across all departments, while decreasing hours currently needed to perform what would otherwise be simple tasks. For years this upgrade has been needed and was recommended by the Division of Local Services in their Review of Financial Services report in 2015 citing the “long standing operating glitches and management report printing issues.”

***Supporting Statement from Town Accountant and Finance Director Alison Nieto***

*Passage of Article 17 will allow the Town to borrow up to \$350,000 to purchase and implement a new software that will greatly enhance the accounting, budgeting, cash management, and purchasing functions for the Town. Several years ago, the Town was notified that its financial software would no longer be supported and was forced to convert to a system that has proven to be difficult to use. The current accounting system is not reliable, does not provide consistent reporting, and is extremely limited in its capabilities. Prior to last year’s Town Meeting, the Town researched other financial software vendors and found that Tyler Technology’s Munis software is most widely used among other Massachusetts municipalities. Munis provides a user-friendly system that integrates accounts payable, accounts receivable, fixed assets, budgeting, and project accounting, which will allow the Town to streamline its accounting capabilities. Furthermore, Munis provides robust reporting capabilities that will enhance the Town’s financial transparency and ability to quickly respond to data requests. Tyler Technologies is a reputable company that has worked with the public sector for over thirty years and will provide the Town with software and technical expertise that it needs.*

**ARTICLE 18. (Police Department Capital – 2-Way Radio Communications)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$190,000, or any other sum of money, to purchase and install 2-Way Radio Communications equipment and software, including the payment of all incidental or related costs, or to take any other action relative thereto.

**RECOMMENDED:**

The Advisory and Finance Committee recommends passage of this Article, which authorizes the Town to replace the obsolete two-way radio communication system, including all incidental and related costs. The current system is over 30 years old and is failing. The safety of our officers, and the public-at-large, are put at risk without the ability to properly communicate with the station and other officers.

***Supporting Statement from Chief of Police Robert Dwyer***

*Over the past several years the Nahant Police Department has experienced failed radio communications during emergency situations. After extensive research it has been determined that our current radio system infrastructure and components (portables, mobile radios, antenna, and repeater) are at end of life and no longer serviceable. The current system has served the community well for over thirty years. In the past 5 years, the Police Department has had difficulty communicating between officers on the road and headquarters. In times of emergency when information about an active scene is critical to ensure the safety of the lives involved, a system with irregular interruptions has made our job extremely difficult and dangerous. This borrowing article will allow for the Nahant Police Department to purchase and install communication technology of today's standards that will provide value to our department and out community for years to come.*

**ARTICLE 19. (DPW Capital)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$112,000, or any other sum of money to purchase a Backhoe Loader and a Water Sewer Utility Truck and appurtenant fixtures, including the payment of all costs incidental or related thereto, and to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

**RECOMMENDED:**

A vote to approve this article will allow the town to purchase (through borrowing of \$112,000 or other requisite sum) two new pieces of equipment, a Backhoe Loader and Water Sewer Utility Truck. The existing equipment is old and must be replaced, for safety and utility reasons.

**ARTICLE 20. (Coast Guard Design and Development Advisory Committee)** To see if the Town will vote to authorize the Board of Selectmen to dispose of the property on Castle Road and Goddard Drive (known as the Coast Guard Housing)(Assessors Map 12D-0-41 and being premises being described in a deed recorded in the Essex County Registry of Deeds in Book 24011, page 401), and apply the proceeds of such sale to the payment of any outstanding debt issued by the Town to acquire the property in accordance with Chapter 44, Section 63 of the General Laws, under the following conditions:

That the existing houses are demolished, the in-ground oil storage tanks are removed, the land is leveled, the land is subdivided, and subject to any title issues being resolved, 12 individual lots be sold with deed restriction that no single individual/entity/group can purchase more than 1 lot, and lots cannot be combined, while retaining [permanent easements in, on and under] the following areas of said property

- An approximate 15-foot-wide path to connect the Heritage Trail to Bailey's Hill;
- An approximate 30 -foot-wide easement abutting the golf course to clear encroachment of the first tee;
- An approximate 10-to-20-foot-wide easement abutting Bailey's Hill to eliminate any encroachment to the dirt road access to the Bunker;
- And to prevent overdevelopment, deed restrictions be placed on each deed to limit the maximum Floor Area Ratio for these lots to 25%, and, to reduce construction congestion, sell alternating lots in 2 offerings over 2 years
- And all costs associated with the preparation of the lots and sale of the properties be paid off first with profits from the sale

and to see if the Town will vote to raise and appropriate, transfer from available funds or borrow, a sum of money to pay all costs of completing the conditions outlined above, including the payment of costs related or incidental thereto, or take any other action relative thereto.

## **RECOMMENDED:**

The Advisory and Finance Committee acknowledges that the existing loan of \$1.8 MM is due in 2024. Therefore, the Advisory and Finance Committee recommends passage of this Article including the disposition of the property as detailed: tear down existing 12 houses, subdivide to conforming lots, and sell 12 lots with restrictions as detailed. As this money will be available only after property sales, the Advisory and Finance Committee further recommends the money from the sales of the properties be allocated as follows:

- First - Pay off debt principle for Coast Guard loan, \$1.8 MM (which comes due in 2024)
- Second - Pay the Town back for the any costs necessary to prepare the identified lots for sale.
- Third – Use any remainder to pay down other municipal debt (highest interest rate first).

Additionally, the Advisory and Finance Committee would like to thank the Coast Guard Design and Development Advisory Committee for weighing a significant number options against defined, consistent criteria including:

Fiscal Responsibility (cover existing loan and provide additional revenue to Nahant), impact on neighborhood, housing needs of the town (affordability, elderly/young families), addressing 40B, respectful of current zoning by-laws, etc. (see workplan, criteria, scoresheet, and options in appendix).

Thank you for the years of hard work; both the current committee and previous two committees. The current committee held public meetings throughout the last four years discussing: first the method of scoring options, the criteria included in scoring options, and the options themselves. Additionally, we would like to thank the committee for weighing each option based on the ability to execute.

### ***Supporting Statement from Chairman of the Coast Guard Design and Development Advisory Committee Peter Barba***

*The Coast Guard Design and Development Advisory Committee has been working diligently for 3 plus years to evaluate a number of options for redevelopment for the Coast Guard Housing property on Castle Road and Goddard Drive. Through our process, we have collected and studied significant data, and met with real estate professionals to help us determine the best outcome, balancing the financial implications to the Town and direct impacts to the neighborhood. The Town has \$1.8 million remaining on the loan for purchasing the property in 2004, that is due for payment in 2024. The current real estate market is at an all-time high and we have put forth a recommendation that we believe provides the highest financial benefit to the Town and greatly improves the neighborhood appearance of the Bass Point area. The Committee recommends demolishing the existing houses, leveling the property, selling the property as 12 individual vacant lots at around 10,000 – 13,000 sq. ft. each. To prevent overdevelopment, we further recommend, deed restrictions that set a 25% floor area ratio limitation and preventing the ability to combine lots. We recommend that current renters have a year to find alternative housing and that the estimated \$3.5 to \$4.5 million in revenue produced from these sales be used to first pay off the purchase debt and the cost associated with preparing the properties for sale.*



**ARTICLE 21. (Community Preservation)** To see if the Town will vote to spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for open space, not less than 10 per cent of the annual revenues for historic resources, and not less than 10 per cent of the annual revenues for community housing or to take any other action as may be allowed under the Community Preservation Act as requested by the Community Preservation Committee.

**The Advisory and Finance Committee Community Preservation Recommendation Summary:**

The Advisory and Finance Committee after meeting with the Community Preservation Committee (CPC) and deliberating as an independent body recommends passage of all Community Preservation Article 21 sub-articles: A - V.

Sub-articles A-O represent a broad range of projects that span those that are initiated by the Town to address priority capital and infrastructure needs focusing on Town-owned buildings like the Library, Town Hall, Community Housing and Town-owned recreation spaces like Bailey’s Hill, the Short Beach Playground, the Lowlands Softball Field and the Spring Road Basketball Court. There are also sub-articles in this group that represent organizations that are promoting, and often providing the vast majority of funding to accomplish these public and community-oriented projects including the ramp and float project at the wharf by the Nahant Dory Club.

Sub-articles P-T represent projects where funds from previously approved CPC projects have gone unspent for a number of years and are being reclaimed in purely procedural motions.

Sub-article U represents another administrative item that enables the CPC to set aside any unused funds from FY21 in their statutorily required categories that can be allocated in future years.

Sub-article V requests authorization to borrow a portion of the funds required for the proposed East Point Eminent Domain proceeding that is the subject of Warrant Article 22. You will find the Advisory and Finance Committee’s discussion of this Article (CPC Article 21, Sub-article V) and the East Point situation in the Advisory and Finance Committee’s statement for Warrant Article 22.

Below you will find the individual sub-articles, the Advisory and Finance Committee’s recommendation in **BOLD**, and then the associated “Supporting Statement” that was authored by the CPC (*in italics*).

**FY2022 Grant Recommendations:**

- A. To appropriate the sum of \$10,000 from Fiscal Year 2022 Community Preservation Fund estimated revenues for administrative and operating expenses of the Community Preservation Committee.

**RECOMMENDED**

*CPC Supporting Statement – In addition to annual expenses such as dues, help with printing the warrant, etc., these monies are available to assist applicants with professional help in the application process.*

- B. To appropriate the sum of \$32,375 from the FY 2022 Community Preservation estimated revenues to make improvements to the Nahant Little League Flash Road baseball fields fencing for the purpose of promoting recreation in the Town of Nahant, consistent with the application for CPA funding by the Nahant Little League, including all incidental and related costs.

**RECOMMENDED**



**CPC Supporting Statement** – *The Nahant Little League has applied for funding to address fencing on two adjacent baseball fields in the area of Flash Road. This funding will replace the backstop of the major’s field, fencing on the minor field and make other fencing repairs. The completion of this project will improve the fields in a manner that will enhance safe recreational usage of both baseball fields. The Nahant Little League is also providing a \$15,000 match.*

- C. To appropriate the sum of \$4,000 from the FY 2022 Community Preservation estimated revenues to purchase and install an exterior sign for the Nahant American Legion Post 215, consistent with the application for CPA funding by the Nahant American Legion Post 215’s, including all incidental and related costs

**RECOMMENDED**

**CPC Supporting Statement** – *The Mortimer G. Robbins American Legion Post 215 has a history of collaboration with the Community Preservation Committee to help preserve Nahant’s landmarks. American Legion Post 215 had sold its property on Spring Road and used the proceeds as a match of Community Preservation Act funds towards preservation work at the Nahant Life Saving Station. Since that time American Legion Post 215 has maintained a meeting space inside the Nahant Life Saving Station.*

*This funding award will allow the American Legion Post 215 to purchase and install an exterior sign at the Nahant Life Saving Station. The sign will provide a visual recognition of the property as the official meeting space of the Mortimer G. Robbins American Legion Post 215 and will also reflect the contributions of the Community Preservation Act in preserving the structure.*

- D. To appropriate the sum of \$120,000 from the FY 2022 Community Preservation estimated revenues to make improvements to the Basketball & Tennis Courts located at Flash Road for the purpose of promoting recreation in the Town of Nahant, consistent with the Town of Nahant’s request for CPA funding including all incidental and related costs.

**RECOMMENDED**

**CPC Supporting Statement** – *At the annual Town Meeting on April 27, 2019 voters approved the sum of \$160,000 from Community Preservation Act funds for replacement or improvements to the basketball and tennis courts in the Flash Road recreation area. When the project was put to bid the total cost of the project was more significant than anticipated.*

*This additional sum of \$120,000 of FY2022 Community preservation estimated revenues will be combined with the prior award to allow for the project to move forward. The Town of Nahant has already completed the procurement process for the project and the contractors have held their pricing. This award will allow for site work, complete resurfacing of the basketball and tennis courts and new fencing. The courts in question have been in a state of disrepair for a number of years rendering them nearly unusable. The completion of this project will greatly enhance safe and healthy recreational activities at the Flash Road recreational area.*

- E. To authorize the Treasurer, with the approval of Board of Selectmen, to borrow the sum of \$500,000 pursuant to G.L. c.44B, §11, G.L. c.44, §§7 or 8, the State Public Library Bond program, or any other enabling authority, for the preservation of the three historic town-owned structures: the Nahant Public Library, located at 15 Pleasant Street; the Town Hall, located at 334 Nahant Road; and Greenlawn Cemetery, located at 195 Nahant Road consistent with the Town’s application for CPA funding, including all incidental and related costs, and, as appropriate, to issue bonds and notes of the Town therefor, and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby

reducing by a like amount the amount authorized to be borrowed to pay such costs; and/or to authorize the Board of Selectmen to apply for, accept and expend any monies that may be made available to the Town for such purposes from any public or private source; and further, to appropriate from CPA FY2022 estimated annual revenues the sum of \$61,250 to pay debt service (principal and interest) on the first year of such borrowing.

## **RECOMMENDED**

**CPC Supporting Statement** – *The Town of Nahant is graced by three public structures of architectural significance: The Town Hall, 1906, designed by Jacques & Rantoul in the Colonial Revival style; the Public Library, 1895, a Tudor Revival masterpiece by Ball & Dabney; and the Ellingwood Chapel, 1918, designed by the internationally renowned Ralph Adams Cram, who also designed the ceremonial entry arch and stone walls of Greenlawn Cemetery. Comprehensive building envelope assessments of these structures were conducted in 2018, funded by a FY2018 Community Preservation grant. The assessment recommendations were divided into critical (within 1 – 3 years), short term (3 – 5 years) and long term (7 – 10 years). The aggregate needs were – Town Hall \$335,000; Public Library 350,000; Ellingwood Chapel \$280,000; Greenlawn Cemetery entry arch and wall \$750,000.*

*In the past three years progress has been realized. The Ellingwood Chapel had a substantial restoration of the north elevation of the tower along with other work, funded with a Massachusetts Preservation Projects Fund grant of \$77,566 and a FY112,500 CPA grant. The Public Library experienced a substantial and critical needs structural and preservation project for the terrace and wraps around two sides of the building. Temporarily closed due to structural collapse, the terrace was dismantled and restored for a cost of \$520,000, funded by a \$70,000 Emergency Grant from the Mass. Preservation Projects Fund and a FY2020 CPA grant of \$400,000, bonded for 10 Years, plus past unspent CPA grants. The immediate needs for the Town Hall, which had been less demanding than the other structures, have been addressed with a small CPA grant.*

*Deferred maintenance and the simple fact of major masonry structures having past their first century of use are the root causes of the building preservation needs. Tackling pressing needs with small grants in successive years is not as efficient and effective financially and qualitatively as aggregating projects into a single contract, designed and administered by a qualified preservation architect, bid and contracted to a qualified preservation contractor. For these reasons, Town Administrator Tony Barletta has applied for funds to be allocated to three structures, administered as a single contract.*

*The \$500,000 bond will be divided roughly as follows: Public Library, various building envelope projects -- \$300,000; Town Hall -- \$100,000; Greenlawn Cemetery Entry arch \$100,000.*

*The Public Library building is one of Nahant's proudest architectural treasures. Over the last two years the Trustees and new librarian have been working to expand library services to the Town, simultaneously dealing with pressing matters of building maintenance while seeking to plan in a forward looking way for major repairs and adaptations to the Library building that will insure it can meet future needs. Librarian Sharon Hawkes has applied for a MPPF matching grant, hoping for an award of \$60,000 in mid-June 2021 for implementation, matched by the FY22 CPA grant, in the autumn, 2021, with completion in the spring 2022.*

*Recognizing the need to protect the building from further deterioration by attending to these most urgent issues, we strongly recommended the funding of these preservation repairs with a 10-year bond. It is anticipated that the Library will be embarking on a coordinated plan to make major renovations and physical improvements in the building over the next few years, kicked off by a celebration of two hundred years of its existence this coming June as one of the oldest public libraries in the Commonwealth.*

- F. To appropriate for the payment of debt service of principal and borrowing on the \$400,000 Public Library Bonding authorized by the 2019 Annual Town Meeting (Article 16C), the sum of \$55,200 from Community Preservation Fund General Reserves for the first and second years of the bond payments.

## **RECOMMENDED**

*CPC Supporting Statement – This represents \$55,200 for the second year of a ten-year bond supporting repairs to the Public Library.*

### **FY2021 Grant Recommendations:**

- G. To appropriate the sum of \$50,000 for the preservation of Ellingwood Chapel from the FY2021 Community Preservation Fund estimated revenues to fund priority building envelope repairs identified in the 2018 conditions assessment and interior plaster repair and painting consistent with the application for CPA funding by the Nahant Cultural Council and Town of Nahant and including all incidental and related costs.

## **RECOMMENDED**

*CPC Supporting Statement – The Chapel is an architectural treasure. Designed by internationally known architect, Ralph Adams Cram, the Ellingwood Chapel is listed in the National Register of Historic Places along with Greenlawn Cemetery. Having been returned to active use for services, concerts and events, the Chapel has actively served the community for the past 20 years. A comprehensive assessment of the Chapel in 2018 funded by a planning grant from Community Preservation identified some \$500,000 in necessary repairs. With a FY2019 CPA grant of \$112,000 matched by a Massachusetts Preservation Projects Fund grant of \$50,000, significant progress (a third of the estimated need) has been made in addressing critical water infiltration and masonry restoration. Celebrating its centennial, the Cultural Council and Town of Nahant are continuing the efforts to preserve the chapel and make it presentable for public use and enjoyment.*

- H. To appropriate the sum of \$17,000 from FY 2021 Community Preservation estimated revenues to cover 20% of the cost of the Nahant Dory Club in procuring and installing a new gangway and davit apparatus from Town Wharf and two new floating docks for the purpose of promoting recreation in the Town of Nahant. The majority of the total cost of the project, \$83,830, will be borne by the Dory Club and will be no less than \$66,830. The Dory Club will provide a professional engineering plan for the project, and the release of CPC funds will be contingent upon approval of the Town Administrator based on any independent engineering review of the plans he elects to engage, especially with regard to the impact of the new davit and gangway on the structural integrity of Town Wharf.

## **RECOMMENDED**

*CPC Supporting Statement – The Dory Club has long been the center in Nahant for instruction in sailing, boat safety, navigation, fleet racing and cruising, central recreation activities in our seaside community. The centerpiece of the program is the Nahant Sailing Program (NSP) which it provides and subsidizes primarily for the benefit of the children of Nahant. Three launches for the NSP are tied to the floats and safe access to them is essential for the program. The current two floats are disintegrating—their replacements will have more durable moorings—and the badly damaged gangway from Town Wharf needs to be replaced with one that will permit its elevation for secure storage during winter and harsh weather. In addition to NSP, other public services gladly provided by the Dory Club include serving as a venue for events of the Lions Club, Women’s Club, Garden Club, US Coast Guard Auxiliary, the Council on Aging, the Nahant Memorial Day Parade and SWIM (Safe Waters in Nahant).*

- I. To appropriate the sum of \$45,000 consisting of \$33,240 FY 2021 Community Preservation fund estimated revenues and \$11,760 from the CPC Community Housing Reserve to address window-related building envelope issues at the Nahant Housing Authority's buildings located at 41-53 & 75-77 Spring Road & 7-9 Emerald Road including all incidental and related costs, and in effect repair deteriorated wood material surrounding the windows to preserve the building envelope structure and remove the current windows in 12 low income family units, remove the deteriorated materials, replace the materials with new material, and then re-install/re-use the same windows.

## RECOMMENDED

**CPC Supporting Statement** – *The Committee reviewed the application and determined a need existed. The Nahant Housing Authority (NHA) Director met with the Committee twice. She informed it that the current windows are fine, but the surrounding material has experienced substantial rotting from leaks on to material supporting the windows for several years. Failure to perform the project soon would result in more costly repairs later and much worse mold and other contaminant penetration. But the Committee unanimously agreed that heightened assurances were needed that the project would be performed in a manner consistent with quality industry standards. The Director explained to the Committee that about three years ago Nahant Housing entered into a new relationship with a state sponsored Region's Capital Assistance Team "RCAT." RCAT aids small housing authorities, like Nahant's, with such matters for long-term management & preservation of assets. For these reasons, the Committee supports the grant request.*

- J. To appropriate the sum of \$155,000 from CPC Community Housing Reserve for the purposes of preserving the building envelope of the Nahant Housing Authority buildings located on Spring and Greystone Roads including all incidental and related costs, but if and only if NHA has first reported the exact and detailed nature of any preservation efforts it intends to, and receives approval to proceed from, the CPC and the Town Administrator before the CPC releases any such funds for the purposes stated herein.

## RECOMMENDED

**CPC Supporting Statement** – *The Committee discussed the Nahant Housing Authority's application in great detail. The Committee expressed concern that the original proposal to preserve the buildings envelopes, protect against mold and other outside penetration, and to reverse further deterioration, the material initially proposed did not meet community standards for the Town's character and failed to blend with surrounding homes and structures. In short, vinyl, though durable may not be the best solution; however, the CPC agreed a problem and need existed. Accordingly, the NHA Commissioners agreed that the NHA's Executive Director, Ms. Kelly Collins, would meet with, consult, and work with CPC Members and the Town's Administrator to find a solution agreeable to the Town and the CPC that worked best for the Town, while simultaneously protecting the assets and residents therein. Only after an agreeable solution is found, would any funds be released, if at all. Many residents have expressed concern for the need to keep those properties in good condition from what many passersby observe as, at minimum, unsightly and increasingly concerning conditions. Given those stringent parameters, the CPC supports the grant request.*

- K. To appropriate the sum of \$41,000 from FY 2021 Community Preservation estimated revenues for Bailey's Hill Park - Fort Ruckman East Slope Restoration, consistent with the Town's request for CPA funding, including all incidental and related costs.

## RECOMMENDED



**CPC Supporting Statement** – *The Nahant Open Space and Recreation Plan Committee identified Bailey's Hill and connected Heritage Trail area as ready for restoration. Once done it will increase the open space in and around Bailey's Hill park. Passive recreation areas will be increased, made safer and open to the public. The Nahant Department of Public Works is ready to begin phase one of the project this year.*

*The Bailey's Hill Complex is a well-used and valued open space in Nahant. The Heritage Trail traverses the bunkers and provides passive recreation for residents. The subject location is adjacent to the Heritage trail, a well-used walking trail that connects open spaces in Nahant.*

*The Nahant DPW Director provided a plan to the Open Space and Recreation Plan Committee to restore the east slope of Bailey's Hill. This area has been neglected for many years. There are extensive invasive species that choke off native vegetation. In its current condition it is not usable as open space or recreation.*

*The Community Preservation Committee ("CPC") recognizes the need to restore this popular park and heritage trail system. The intention is to fund half of the restoration requirements for \$41,000 this year. Next year, we anticipate the grant application will be resubmitted to the CPC for the completion phase of the restoration project. The grant application for next year may include private donations to support the project.*

*The CPC recommends this article as an important initiative for community preservation of open space and recreation.*

- L. To appropriate the sum of \$27,000 from the FY 2021 Community Preservation estimated revenues to make improvements to the Lowlands Softball Fields for the purpose of promoting recreation in the Town of Nahant, consistent with the Town of Nahant's request for CPA funding including all incidental and related costs.

## **RECOMMENDED**

**CPC Supporting Statement** – *The Lowlands softball fields, south of Nahant Road, are one of the major features of the gateway to Nahant. Last year CPC funds supported renovations to the Women's Softball Field which have greatly improved the appearance and utility of that facility. On the adjoining Men's Softball Field, the deteriorating backstop, benches and outfield fencing are unsightly and unsafe. This project will replace them and purchase new benches for the Women's field as well and a sign announcing both fields.*

- M. To appropriate the sum of \$165,000 consisting of \$128,165 from FY 2021 Community Preservation estimated revenues and \$36,835 from CPC General Reserves for preservation of the Town Hall to fund priority handicapped access work consistent with the request by the Town of Nahant, including all incidental and related costs.

## **RECOMMENDED**

**CPC Supporting Statement** – *Nahant's Town Hall is used intensively for meetings large and small; for office use and public use for records, payments, and inquiries; for voting; and notably by the Council on Aging's Tiffany Room where meals are served along with social and recreational activities. At present handicapped access is limited to portions of the ground floor level. Technically the Council on Aging space is not handicapped accessible. The exterior ramp that once served the upper floor is in poor repair and does not meet the current handicapped code. A Community Preservation funded assessment and recommendations study (FY17 and FY19) has guided the scope and budget recommendations for this appropriation which will build a new ramp to the upper floor, make the Council on Aging space accessible, and modify the restrooms and door hardware to meet the Massachusetts Architectural Access Boards code requirements.*

- N. To appropriate the sum of \$24,000 Community Preservation Fund General Reserves for the use of the Town of Nahant to make improvements to Little Nahant Playground for the purpose of promoting recreation and the use of open space in the Town of Nahant consistent with the request by the Town of Nahant, including all incidental and related costs.

**RECOMMENDED**

*CPC Supporting Statement – Little Nahant Playground is the only open space on Little Nahant and its only recreation facility for children. The surface of the park badly damaged in recent flooding will be repaired by a grant from FEMA. The previous recreation equipment had to be removed for safety considerations. It will be replaced by a multipurpose jungle gym carefully selected to provide maximum utility and durability—built of recycled plastic, impervious to salt – at a reasonable cost. The initial grant request of \$30,000 covering replacement of deteriorated benches and tables was reduced to \$24,000 because some of that furniture was repaired, but primarily to ensure that adequate funds are available to buy a high-quality centerpiece jungle gym, with the hope that private donations to purchase new furniture may be stimulated by the restored equipment and active use of the park.*

- O. To appropriate the sum of \$12,000 from Community Preservation Fund General Reserves for the use of the Town of Nahant to restore the basketball court on Spring Road for the purpose of promoting recreation in the Town of Nahant consistent with the request by the Town of Nahant including all incidental and related expenses.

**RECOMMENDED**

*CPC Supporting Statement – The once heavily used basketball court on Spring Road has fallen into disrepair as the court surface, basketball hoops, and backboards have deteriorated and invasive plants including poison ivy have crept from the periphery onto the playing surface. This project will underwrite a great deal of work at a modest cost: resurfacing and repainting lines on the court, two new steel stanchions, fiberglass backboards and hoops, and approximately 175 feet of fencing on two sides of the court to keep plants out and basketballs in.*

- P. To recommend that the Town transfer \$3,809.93 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2014 Community Preservation funds for the Recreation Feasibility Study for the Flash Road recreation area to the Community Preservation General Reserve.

**RECOMMENDED**

- Q. To recommend that the Town transfer \$159.72 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2014 Community Preservation funds for the Wharf Sea Walls project to the Community Preservation General Reserve.

**RECOMMENDED**

- R. To recommend that the Town transfer \$12,830.06 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2016 Community Preservation funds for the Wharf Boat Ramp project to the Community Preservation General Reserve.

**RECOMMENDED**



- S. To recommend that the Town transfer \$29.45 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2018 Community Preservation funds for the Town Hall, Library, Ellingwood Chapel building envelope assessment study to the Community Preservation General Reserve.

**RECOMMENDED**

- T. To recommend that the Town transfer \$ 0.41 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2018 Community Preservation funds from the 10-year Wharf bond to the Community Preservation General Reserve.

**RECOMMENDED**

- U. To recommend the Town set aside from Fiscal Year 2020 Community Preservation Fund revenues for later appropriation any other amount not otherwise set aside or appropriated as aforesaid to be maintained in the Community Preservation Fund General Reserves Account for later appropriation.

**RECOMMENDED**

- V. To appropriate through borrowing the sum of \$1,500,000 to pay a portion of the costs to acquire the fee simple or a lesser interest in all or a portion of the land located at 430 Nahant Road, Nahant, [shown on Assessors Map/Lot as 1B-0-1,] and described in a deed recorded with the Essex South District Registry of Deeds in Book 5344, Page 142, and in Certificate #47172, for open space, recreation, conservation and/or historic preservation purposes and an easement to use certain portions for beach purposes as shown on a plan on file with the Town Clerk, including the payment of all costs incidental or related thereto, [the expenditure of which is] subject to:

- (i) a vote of the Town to acquire the above-described property, and
- (ii) the receipt by the Town of grants or gifts in the amount of at least \$3,000,000 or such larger amount as shall be required, together with the amount appropriated at this Town Meeting, to pay the purchase price or pro tanto amount, as the case may be, of acquiring such interest in the above-described property,

and, further, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow the sum of \$1,500,000 under G.L. c. 44B, G.L. c. 44, §7, 8, or any other enabling authority, and to issue bonds or notes of the Town therefor, and any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, as amended, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, and to take any other action relative thereto.

**RECOMMENDED**

Sub-article V requests authorization to borrow a portion of the funds required for the proposed East Point Eminent Domain proceeding that is the subject of Warrant Article 22. Please see the Advisory and Finance Committee’s discussion of this Article and the East Point situation in the Advisory and Finance Committee’s statement for Warrant Article 22.

*CPC Supporting Statement – The Committee found all aspects of the application consistent with and well within the parameters of the Community Preservation Act. Further, the BOS must legally secure as*

*binding gifts to the Town totaling at least \$3 million from private donations. The \$1,500,000 borrowing will be repaid from CPC funds over 30 years to cover principal and interest (P&I). Together, these costs address the acquisition of the easements and associated legal and other fees.*

*Further still, the Committee also observed that the matters raised by the Application have become increasingly urgent. Current and proposed activity on that property make even more difficult the Town's ability to preserve and protect the open space and wildlife preserve that is East Point. Moreover, the Application reflects a measured approach regarding a matter involving a high degree of important public concerns. Moreover still, repeated demonstrations of an overwhelming number of Nahant residents made clear their desire to preserve as open space, further protect from adverse climate conditions, and use as watershed and wetlands the areas of Canoe Beach and East Point at issue. If approved, this Warrant will provide funds necessary to acquire the property interests to be preserved for the current residents ourselves and our posterity. Consequently, for these and many reasons, the Committee highly recommends and urges approval.*

**ARTICLE 22. (Authorize Acquisition)** To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, negotiated purchase, eminent domain taking (pursuant to c.80A exclusively), or otherwise, the fee simple interest or any lesser interest in all or a portion of the land located at 430 Nahant Road, Nahant, [*shown on Assessors Map/Lot as 1B-0-1.*] and described in a deed recorded with the Essex South District Registry of Deeds in Book 5344, Page 142, and in Certificate #47172, for open space, recreation, conservation and/or historic preservation purposes and an easement to use certain portions for beach purposes as shown on a plan on file with the Town Clerk, subject to the receipt by the Town of grants or gifts in the amount of at least \$3,000,000, or such larger amount as shall be required, together with the amount appropriated by Sub-article V of Article 21, to pay the purchase price or *pro tanto* amount, as the case may be, and all costs incidental or related thereto, and to take any other action relative thereto.

## **TIE VOTE, NO MAJORITY ON RECOMMENDATION**

The Advisory and Finance Committee is continuing to discuss and deliberate on this issue.

This recommendation discusses two related Articles, Article 21 V which provides Community Preservation funding for a potential acquisition of conservation easement rights over a portion of East Point and Article 22 which authorizes, but does not require, an eminent domain taking of those easement rights. The Advisory and Finance Committee anticipates that the motion made at Town Meeting, and on which the voters will decide, will further limit the provisions you see in the wording of the Articles themselves.

The Committee recommends Article 21V, the Community Preservation funding, but has chosen on a split vote (We are short one member, making an even numbered membership.) to leave the decision authorizing the taking (Article 22) to individual voters at Town Meeting. The Committee recognizes the value of maintaining East Point as valuable open space and conservation land, and we understand the importance of the negotiating leverage that an authorization for eminent domain gives to the Town. However, half of the Committee believes the decision to authorize an eminent domain taking is a personal and philosophical decision best left to individual voters without the influence of a recommendation from the Finance and Advisory Committee. The Finance Committee is a fiscal and managerial watchdog for the Town, and it is from this perspective that we offer this recommendation.

This recommendation contains what the Finance Committee believe are the essential facts regarding the eminent domain issue, focusing on the financial aspects, to help Town voters reach an informed decision. You will find additional details on the Town website, including all of the documents cited in this recommendation, documents from Northeastern, a detailed explanation of the eminent domain process by an expert eminent domain attorney, the Selectmen's statements regarding their plan, and many more details. The Town updates this information regularly as the situation develops.

[https://www.nahant.org/community/northeastern.shtml#gpm1\\_1](https://www.nahant.org/community/northeastern.shtml#gpm1_1)

Simply put, the two eminent domain related Articles mitigate much of the financial risk and minimize the financial exposure to taxpayers associated with the potential eminent domain taking.

1. Article 22 authorizes an eminent domain process, called 80A, that allows the Town to withdraw, without paying the land valuation, from the eminent domain process at any time and for any reason. This allows negotiations to begin at any time, respecting the legal proceedings now in process, mitigates the risk of being forced to pay an unexpectedly large land valuation and provides flexibility. The Town may withdraw should the total cost to the Town exceed the available funds at any time during the eminent domain process.
2. Both Articles require that generous donations of at least \$3 million be actually received before the Town can proceed with eminent domain, eliminating any risk of not receiving the donations before beginning the process.
3. The Articles cap the amount the Town may spend on eminent domain at \$4.5 million (\$3 million in donations and \$1.5 million from CPC borrowing), including both the value of the easement and expenses, unless the Town receives additional non-taxpayer funds.
4. Thanks to the \$3 million in donations mentioned above, Nahant taxpayers will pay \$1.5 million plus interest of \$930,000. The State match further reduces the taxpayers' portion by an additional estimated 50%. This is excellent leverage of taxpayer money, more than a 3X return for each taxpayer dollar, and further reduces the financial exposure of taxpayers.

### **Selectmen's Plan and Current Situation**

The Selectmen are seeking a negotiated solution and believe that the authorization and funding for eminent domain will provide important negotiating leverage. They view eminent domain as a last resort, but if necessary, would be certain to protect the conservation land at East Point, while allowing Northeastern continued use of the existing Marine Science Center. This situation is similar to the Town's purchase of the golf course where the possibility of eminent domain quickly brought the parties together to negotiate a solution equitable to both.

The Selectmen have made several attempts to negotiate without preconditions with Northeastern, in person, by email, and by certified mail. To date, Northeastern University has only agreed to negotiate with the preconditions that the Town concede several of the important issues we wish to negotiate, which completely defeats the spirit and purpose of negotiating. The Selectmen remain willing to negotiate without preconditions.

Without a negotiated solution or, as a last resort, an eminent domain taking, Northeastern can proceed with their plans to develop East Point, alter their existing plans or expand further in the future and the Town may lose its ability to influence what or where Northeastern actually builds, or how much Northeastern contributes towards their fair share of Town expenses.

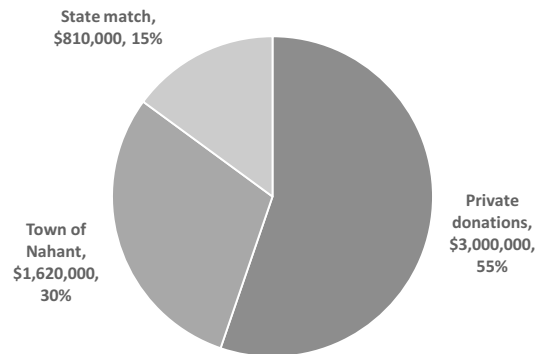
## Eminent Domain Funding

Together the two Articles authorize the Town to raise \$4.5 million for eminent domain costs should the Town pursue taking, of which at least \$3 million must be from generous donations that must be actually received before the Town may start the eminent domain process. The remaining \$1.5 million will come from Community Preservation (CPC) borrowing which benefits from a State match, historically averaging more than 60%. This funding plan represents excellent leverage of taxpayer dollars, as each taxpayer dollar will be matched more than 3X with State match funds and donations.

As with any other funds raised by the Town, the Town may not spend more than raised and appropriated by Town Meeting, which is \$4.5 million. Town Meeting must approve any Town expenditures in excess of the amount raised or additional funds could come from non-taxpayer sources such as additional donations.

Eminent Domain Funding Budget, 40 Year Cumulative Totals

	Authorization	Total Interest 2021 to 2052	Total
Private donations <sup>1</sup>	\$3,000,000		\$3,000,000
CPC Borrowing <sup>2</sup>			
Nahant share	1,000,000	620,000	1,620,000
State match <sup>3</sup>	500,000	310,000	810,000
Total borrowing	1,500,000	930,000	2,430,000
Grand total	\$4,500,000	\$930,000	\$5,430,000



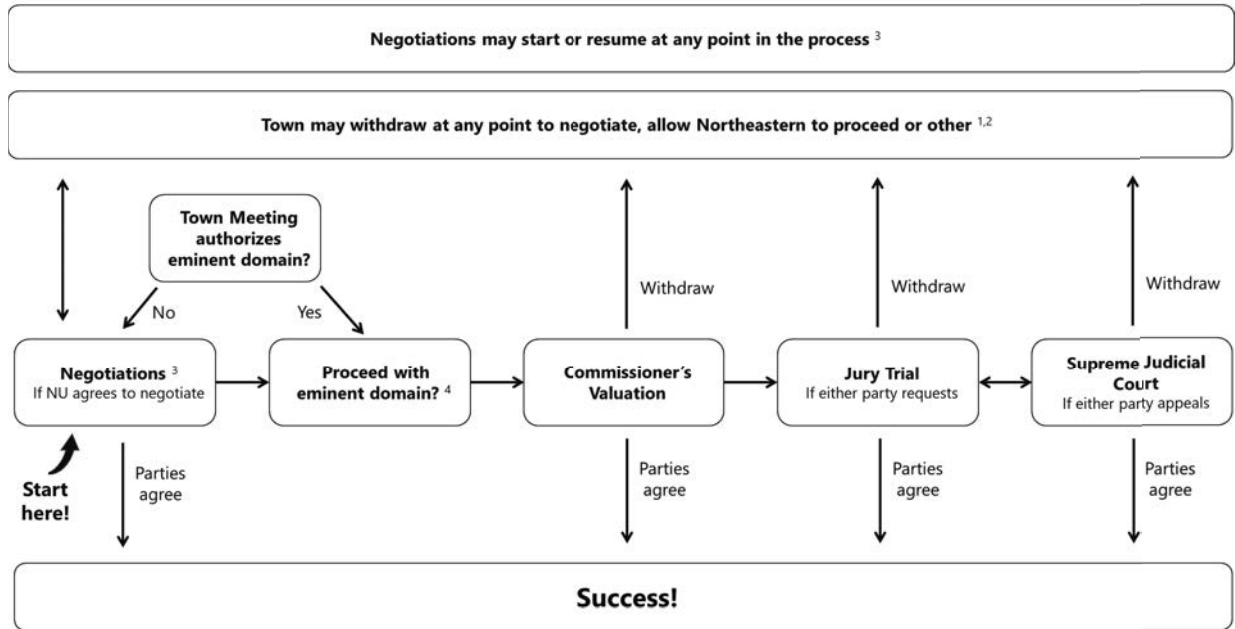
- 1 Donations must be received before Town may begin eminent domain taking.
- 2 Assumes State match of 50%. Actual match experience to date is 60%.
- 3 Worst case would be no State match and Town would pay all debt service.

The eminent domain funding includes \$1.5 million in borrowing by the Community Preservation Commission (Article 21 V) which benefits from a State match, historically averaging more than 60%. Since CPC funding is already built into real estate tax rates, real estate taxes will not increase because of this eminent domain. Using CPC funds for an open space eminent domain taking is a permitted use of CPC funds and has been commonly done in other communities. CPC funds may not be used for Town infrastructure such as the planned sewer improvements or lowlands drainage projects, so using CPC funds for eminent domain will not compromise the funding of those or similar projects. This borrowing will consume an average of 17% of the CPC budget annually for the thirty-year life of the bond, leaving an average of \$375,000 per year of CPC funds for other Town purposes. Please refer to CPC schedule of projected available funds found in the CPC appendix of this book.

## 80A Eminent Domain Process Allows the Town to Withdraw

Article 22 requires using an eminent domain process, under MGL c80A, which allows the Town to withdraw from the taking at any time and for any reason. For example, should the value of the taking exceed the \$4.5 million cap and the Town cannot obtain other non-taxpayer funds, then the Town must withdraw. Should the Town withdraw, the Town would be responsible for Northeastern's expenses, perhaps excluding legal expenses. Thus, the maximum exposure for taxpayers, should the Town withdraw, is a portion of Northeastern's expenses, but not the value of the easement itself. Taken together, the withdrawal option, the \$4.5 million cap and the requirement that the donations must be received before proceeding, mitigate much of the financial risk of this eminent domain authorization. The flowchart below depicts the negotiation and 80A eminent domain process.

## Negotiation and 80A Eminent Domain Process



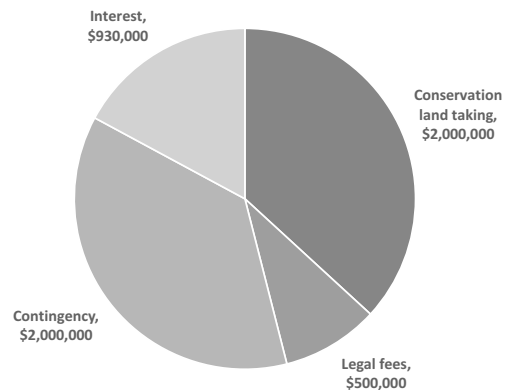
1. The Town may withdraw from the 80A eminent domain process at any point. Upon withdrawal, the Town would not pay the value of the easement but would be liable for Northeastern's expenses such as appraisal costs.
2. The Article authorizing eminent domain caps the Town's commitment at \$4.5 million, unless the Town obtains additional funds from sources other than Nahant tax revenues. Without additional non-taxpayer funding, the Town must withdraw from the eminent domain process if the easement valuation exceeds \$4.5 million. The \$4.5 million will be funded by \$3 million in generous donations and \$1.5 million in CPC borrowing.
3. Negotiation may occur at any point in the process, including during the eminent domain proceedings. Authorizing eminent domain provides a leverage that does not now exist, and it will provide it throughout the process. Without a positive vote, however, the Town loses that leverage.
4. Counsel indicated that it is likely that the court will prevent any construction activities in the proposed conservation easement area until there is a resolution.

## Eminent Domain Expense Budget

Article 22 appropriates \$4.5 million for eminent domain and under State Law the Town cannot spend more the Town funds appropriated. The eminent domain budget is \$2 million for the value of the easement being taken, \$500,000 in legal fees and \$2 million in contingency funds.

Eminent Domain Expense Budget, Cumulative over 40 years

<b>Eminent Domain Expenses</b>	
Conservation land taking	\$2,000,000
Legal fees	500,000
Contingency	2,000,000
<b>Total Appropriated</b>	<b>4,500,000</b>
Interest on borrowing, 30 years	930,000
<b>Total Eminent Domain Expenses</b>	<b>5,430,000</b>
<b>Less - Paid with sources other than real estate taxes</b>	
State Match of CPC Borrowing (assuming 50% match)	810,000
Donations	3,000,000
<b>Total Paid With Sources Other Than Real Estate Taxes</b>	<b>3,810,000</b>
<b>Expenses Paid By Real Estate Taxes</b>	<b>\$1,620,000</b>
<b>Average per household per year</b>	<b>\$25</b>



Two experienced real estate appraisers separately arrived at a very similar valuation of the easement of \$180,000 to \$200,000 per acre, taking into account Northeastern's possible objections. You will find a summary of the appraisals in the appendices of this book. The value of the East Point land is limited because it is zoned as a Natural Resource District. Eminent domain attorneys provided the legal fee estimates, again taking into account Northeastern's possible legal maneuvers.

There has been much speculation regarding the Town being forced to pay an unexpectedly large court imposed valuation, however as noted above, these two Articles mitigate this risk by capping eminent domain expenses and allowing the Town to withdraw from the process if expenses exceed that amount. Further, there is little, if any, credible evidence of such an unexpected valuation. The Advisory and Finance Committee has seen no statements from any land valuation experts supporting a large valuation. The few examples of unexpectedly large valuations cited, especially the Newton example cited by Northeastern and others, are not comparable to our situation because the zoning and other factors are entirely different.

### **Projected Cost to Town of Northeastern Expansion**

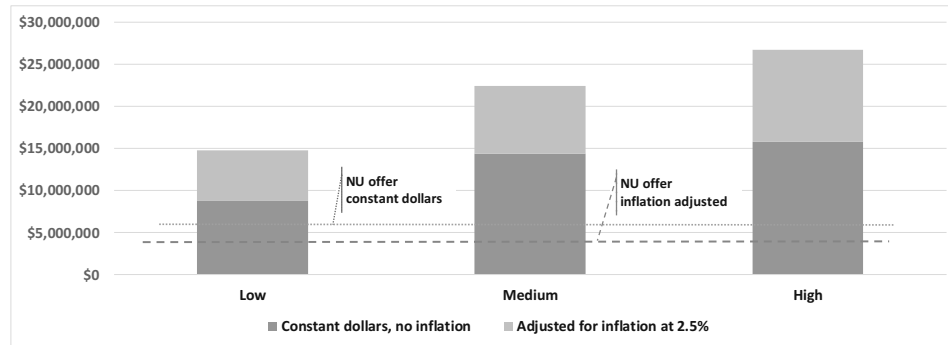
Northeastern offered the Town \$6 million payable over 40 years with the significant conditions that the Town not oppose their development project, that the Town grant all required permits and that the Town not sue Northeastern - basically that the Town give up all influence over Northeastern's development or reimbursement to the Town. Northeastern also offered a conservation easement with no public access to the property, other than access easements to Lodge Park and Canoe Beach, to be granted only after they complete their development of East Point. The inflation adjusted value (present value) of this offer is \$4.3 million assuming inflation at 2.5%. Multi-year projects are best evaluated using inflation adjusted revenue and cost projections.

An independent municipal finance expert projects that the proposed Northeastern expansion will cost the Town an additional \$8.8 million to \$15.8 million over 40 years, or \$14.8 million to \$26.7 million adjusted for inflation at the same 2.5% inflation rate as used above. After a cost projection prepared by the Finance Committee revealed the potential magnitude of Northeastern's cost to the Town, the Finance Committee commissioned a second opinion, a cost projection prepared by independent experts, RKG Associates. We did not expect the second opinion to agree exactly with our estimate; that is the purpose of a second opinion – to offer different perspectives and results. While one may nitpick details, both cost projections reach the same conclusion – Northeastern's proposed expansion will cost the Town additional multi-millions, three to six times more than Northeastern's offer. Based on the RKG inflation adjusted estimate an average household will pay between \$232 and \$418 more in real estate taxes per year for a total of \$9,250 to \$16,700 more in taxes over the 40 years of the projection.



The RKG projected cost to the Town analysis is summarized below.

### Projected Operating Expenses, 40 year total



	Low	Medium	High
Constant dollars, no inflation	\$8,800,000	\$14,400,000	\$15,800,000
Adjusted for inflation at 2.5%	\$14,800,000	\$22,400,000	\$26,700,000

#### Assumptions

Assumptions	2019 actual, pre over-ride	2019 actual, pre over-ride	2019 actual, pre over-ride
Source of fiscal data <sup>1</sup>	2019 actual, pre over-ride	2019 actual, pre over-ride	2019 actual, pre over-ride
Northeastern population <sup>2</sup>	114	147	205
Includes sewer capital <sup>3</sup>	No	No	No

### Explanation of Assumptions

- 1 - Source of financial data  
RKG based their projections on 2019 actuals which is before the 2020 over-ride. In FY2020 the Town passed a permanent override of \$660,000, increasing the Town budget by that amount in perpetuity. RKG estimate does not include the 40-year cumulative effect of the override.
- 2 - Northeastern population  
In the August 2020, Final Environmental Impact Report Northeastern claimed an additional population of 114 while their March 2020 Draft Environmental Impact Report claimed a population of 147. This is source for low and medium population estimates. RKG's high population assumption is a calculated population using typical laboratory per student space requirements.
- 3 - Sewer capital expense  
In Nahant, water and sewer capital costs are paid through the General Fund, an unusual accounting policy as most municipalities fund water and sewer capital costs through the water and sewer fund. This means that residents of Nahant pay water and sewer capital costs through their real estate taxes and not through water and sewer rates as in most other municipalities. An all-inclusive projection of operating costs should include the water and sewer operating costs.

**ARTICLE 23. (MWRA Borrowing)** To see if the Town will vote to raise by borrowing, a sum not to exceed \$200,000 from the Massachusetts Water Resource Authority, to repair and/or replace water distribution lines and appurtenant structures, and in connection therewith, to enter into a loan agreement and/or security agreement with the MWRA relative to such loan, or take any other action relative thereto.

**RECOMMENDED:**

This Article has been included and approved on the Town Warrant for various amounts and at different interest rates since at least 2003. This year's interest rate is 0% and payback will be made in equal amounts of \$20,000.00 over 10 years. Approval of this Article means that this borrowing is paid off by the roughly 1,700 taxpayers/property owners through the mechanism of shifting Water and Sewer Enterprise fund debt and debt service to the property tax side of the bill. This mechanism allows the Town to continue to pay for this through an annual "debt shift" that is outside the Proposition 2 1/2 limit.

**ARTICLE 24. (Wastewater By-law Amendment)** To see if the Town will vote to amend Article XIV of Nahant's by-laws - Discharge of Wastewater, Drainage, Substances or Wastes - (1) to add definitions for 'Infiltration', 'Infiltration/Inflow' and 'Inflow'; (2) to add the following language to Section 6.5 - "This section includes, but is not limited to, inflow. Inflow is strictly prohibited."; (3) to rename Section 9.11 and add language clarifying the process to inspect for infiltration and inflow; (4) to add Section 10.7 to clarify the Town's ability to enforce these by-laws; and (5) to add Section 5.14 requiring the implementation of a 4:1 I/I removal plan for large (re)development projects; a copy of these amendments is available for review in the Town Clerk's office, or take any other action relative thereto.

**RECOMMENDED:**

The Advisory and Finance Committee recommends passage of this Article. A vote to approve this Article will amend Article XIV of the Town's by-laws – Discharge of Wastewater, Drainage, Substances or Wastes to (1) add definitions for "Infiltration", "Infiltration/Inflow" and "Inflow"; (2) to add the following language to Section 6.5 - "This section includes, but is not limited to, inflow. Inflow is strictly prohibited."; (3) to rename Section 9.11 and add language clarifying the process to inspect for infiltration and inflow; (4) to add Section 10.7 to clarify the Town's ability to enforce these by-laws; and (5) to add Section 5.14 requiring the implementation of a 4:1 I/I removal plan for large (re)development projects.

**ARTICLE 25. (Police By-law Amendment – Firearm Discharge)** To see if the Town will vote to amend Police By-law Article XI Section 1 - Firearms - by deleting the words "a minimum of 300 yards off the shore" and replacing it with "a minimum of six-hundred (600) yards from the mean low water line", or take any other action relative thereto.

**RECOMMENDED**

The Advisory and Finance Committee recommends passage of this Article. The Nahant community is in close proximity to the water. Water recreational activities are a year-long activity. It is felt that an increase in the distance from the mean low tide to 600 yards from the previous 300 yards for firearm discharge is a safety issue and is thereby an improvement in safety.

**ARTICLE 26. (By-law – Snow Removal - Sidewalks)** To see if the Town will vote, pursuant to Massachusetts General Laws, Chapter 85, Section 5, to amend Article VIII of the Police By-Laws - Streets, Sidewalks and Public Ways - to add the following section:

Section 15. (a) The owner or any other person having the care of any building or lot of land abutting upon any street or public place within the Town where there is a sidewalk, shall clear sidewalks and any abutting curb cuts or ramps of snow and ice a minimum of three (3) feet in width within twenty-four (24) hours after the snow ceases to fall for residential properties and within twelve (12) hours after the snow ceases to fall for non-residential properties. If the sidewalk becomes covered with ice that cannot be readily removed, the owner shall place sand, salt or similar material on the sidewalk so as to render it safe for pedestrians.

(b) This bylaw shall be enforceable through the Non-Criminal Disposition Procedures provided in Article XIII of the Police By-Laws, but the penalty for violation shall be:

1st offense: Warning

2nd offense and subsequent offenses, absent any mitigating circumstances: \$10.00

Each day on which a violation exists shall be deemed to be a separate offense.

The Nahant Police Department shall be authorized to enforce this by-law.

(c) The Board of Selectmen may promulgate regulations to implement this bylaw. Waivers shall be available for disabled, elderly and others with special needs or circumstances as promulgated by the Board of Selectmen.

#### **NO RECOMMENDATION**

The Advisory and Finance Committee deliberated over three sessions on this Article yet were unable to reach a majority consensus. Some members live in areas where there are no sidewalks and are therefore, not impacted by the article. Some members feel that the police, who will be tasked with enforcing this by-law have more pressing matters to deal with, without adding a potential public relations issue to their list of responsibilities. Finally, the largest areas where there are sidewalks, are the responsibility of the Town who admitted they would not be able to meet the imposed 12-hour timetable. After three votes, the committee agreed to a No Recommendation.

**ARTICLE 27. (Short-term Rental Excise Tax)** To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 64G, Section 3A authorizing the imposition of a local excise tax upon the transfer of occupancy of a room in a short-term rental at a rate of 6% of the total amount of rent for each such occupancy, or take any other action relative thereto.

#### **RECOMMENDED:**

This Article authorizes the Town to collect excise taxes from short term rentals, such as Airbnb's, as is common in other municipalities. The owners of these rental properties will likely pass this tax on to their guests, making this Article a source of revenue with little or no financial effect to the property owners.

**ARTICLE 28. (Short-term Rental By-law Advisory Committee)** To see if the Town will form a 5-member Short-term Rental By-law Advisory Committee consisting of the building inspector, the health agent, one member of the planning board and two Nahant citizens appointed by the town administrator 1) to develop draft by-laws regulating short-term rentals pursuant to Massachusetts General Laws, Chapter 64G, Section 14; and 2) to present those draft by-laws at a future Town Meeting, or take any other action relative thereto. Said committee shall dissolve on June 30, 2024 or upon completion of task 1 and 2.

**RECOMMENDED:**

This Article begins the process of strengthening the Town By-Laws regarding short term rentals such as Airbnb’s. Since Airbnb and similar short-term rental services are a recent development, they were not envisioned in the existing By-Laws. This committee will study and recommend By-Law improvements to protect the Town, property owners and their guests from the impact of these short-term rentals.

**ARTICLE 29. (Marijuana - Local Tax)** To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 64N, Section 3, authorizing the Town to impose a local sales tax at the statutory rate of not more than 3% on marijuana and marijuana product sales originating within the Town, or take any other action relative thereto.

**RECOMMENDED:**

The Advisory and Finance Committee recommends passage of this Article. A vote to approve this Article will authorize the Town to impose a local sales tax, at the statutory rate of not more than 3%, on marijuana and marijuana product sales originating within the Town or take any other action relative thereto.

**ARTICLE 30. (Zoning By-law Amendments - Marijuana)** To see if the Town will vote to amend the Nahant Zoning By-Laws by amending Section 2.02 (Definitions) to add Marijuana-related terms; by adding a new section – Section 14 (Marijuana Establishments [ME] and Medical Marijuana Treatment Centers [MTC]) – in an effort to abate the objectionable operational characteristics and minimize minor exposure to MEs and MTCs; and to amend Section 4.13 (Table of Use Regulations) to account for MEs and MTCs; a copy of these amendments are available for review in the Town Clerk’s office, or take any other action relative thereto.

**NO RECOMMENDATION:**

The Advisory and Finance Committee makes no recommendation on the passage of this Article and awaits the report of the Town Planning Committee that is charged with making recommendations on zoning by-law amendments.

**ARTICLE 31. (Veterans’ Tax Work-Off Program)** To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 59, Section 5N authorizing the Board of Selectmen to establish a Veterans’ Tax Work-Off Program for an amount not to exceed \$1,500 of local property tax, and further that an approved representative for a veteran physically unable to provide such services be permitted, or take any other action relative thereto.

**RECOMMENDED:**

This Article would provide Town Veterans the opportunity to ‘work off’ a portion of their Real Estate taxes by performing volunteer work for the Town. This program is similar to the Senior Work-Off Program (MGL Chapter 59, Section 5K) currently offered to residents over the age of 60. Veterans would not need to meet the minimum age requirement. Participants could work-off up to a maximum of \$1,500 (minimum of \$400) annually from their total Real Estate taxes. Acceptance of this article reinforces the Town’s support of our Veterans.

**ARTICLE 32. (Senior Deferred Property Tax Interest)** To see if the Town will vote to reduce the rate of interest that accrues on property taxes deferred by eligible seniors under General Laws chapter 59, Section 5, Clause 41A from 4% to 2.5%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2020.

## **NOT RECOMMENDED**

In line with Clause 41A under M.G.L. Chapter 59, Section 5, seniors, 65 years of age and older, may be able to delay the payment of, or defer, a portion of or all of their property taxes. A property tax deferral is not an exemption. A lien is placed on the property by the Assessor's office. This Article defers the payment of taxes until the senior either sells the property or passes away. A deferral allows seniors to use resources that would otherwise go to pay taxes to defray living expenses. Seniors must meet certain criteria. The State's interest rate on deferred taxes is set at 8%, however, municipalities may vote to lower this rate. Nahant set its rate at 4% about 12 years ago. In the current state of unprecedented low interest rates, the Mass DOR sent a letter to municipalities informing them that they may want to reduce the deferred interest rate. Approval of this article would lower the interest rate to 2.5%. At this time only about three properties use this deferral.

The Advisory and Finance Committee believes that leaving the rate at a more normalized rate of 4% is still reasonable, and if the Town votes to lower it to 2.5 % then it would be difficult and unlikely that the rate could be raised. Dropping the rate to 2.5 % is not beneficial to the Town.

*Supporting Statement from the Assessor:*

*The DOR proposed the change to the interest rate for the Clause 41A Tax Deferral exemption starting FY2021; announced to all Massachusetts communities. The Town can vote to adopt a rate starting at 0% interest but I suggest a 2.5% interest charge. This suggested amendment to the elderly property tax deferral program (Clause 41A of Ch 59, §5) would allow more elderly to qualify. Currently, this program is underutilized due to a variety of factors, including the largely emotional argument that the elderly want to maximize the assets to be passed on to their children. The BOA and I don't find preserving family wealth for one's children to be a persuasive economic justification for not utilizing this deferral when a senior citizen has trouble paying a property tax bill. Our Town deferral program is more beneficial than a reverse mortgage which is an alternative measure that the elderly are relying on. The taxes are only deferred and will be collected. Consequently, By allowing elderly tax relief in the form of deferred taxes Nahant can be fairly generous without shifting any costs to our state government or affecting our exemption reimbursements.*

*Since we have moderate to high average residential tax bills, the tax deferral program with a 2.5% interest rate would provide more tax relief to the elderly. The outdated statutory restrictions on this tax deferral program has caused fewer applicants until recently.*

*In FY2007 the townspeople voted to adopt a rate of 4% interest, down from 8%. At that time the average single family home was assessed at \$617,949 with a tax bill equating to \$4,393.62. Now in FY2020, the average single family home was \$701,200 with taxes at \$7,692.16. Both years do not include the Community Preservation Act surcharge tax. Taxes have gone up on average 75% over the past 13 years. The increase is \$3,298.54.*

*In FY2007 we only had two applicants and their deferrals have been withdrawn/paid off to the Town. Now, as of FY2020 we have 4 applicants deferring their taxes.*



*The Board of Assessors realize that the elderly are reluctant to enter into a deferral agreement because they don't want a lien on their property. Many elderly wish to pass their property on to their children and don't want to burden their children with the deferred taxes. Our current elderly feel that the interest rate of 8 percent is too high given current market interest rates. The property tax deferral program has much untapped potential. First, the elderly could stay in their own homes that they have lived in for many years. Second, there may be an opportunity for the children to acquire the property after the taxes are paid back to the town.*

*Our current deferral exemption is for qualifying taxpayers over 65 years of age who need to defer payment of their property taxes (MGL Chapter 59, §5, cl 41A). These taxpayers may defer their annual property taxes until the property is either sold or transferred, or upon the demise of the taxpayer. Heirs have the first priority to the property by paying the full amount of the deferred taxes plus interest. Interest is currently charged at the rate of four percent a year and increases to sixteen percent after the taxpayer dies. The total amount of the deferral, including interest, may not exceed fifty percent of the owner's proportional share of full and fair cash value of their property. To qualify, a taxpayer must have been domiciled in the Commonwealth for the preceding ten years, and must have owned and occupied this, or another, property as his domicile for five years. The taxpayer, including the spouse if married, must have gross receipts not greater than \$40,000 at local option. When a taxpayer enters into a deferral agreement, the local assessors perfect a lien on the property with the registry of deeds to secure the municipality's interests. Statewide this option is not widely used but I find this deferral exemption to better meet the needs of our elderly than another exemption known as Clause 18A. This is an option best to discourage because of the greater possibility of non payment of taxes and will not be further discussed here*

*Average amount of taxes deferred using this method is \$5,169.93 with an average assessment of \$563,270, with the Town's average single family home assessment = \$758,400 which produces an average calculated amount of taxes = \$ 7,971.20*

**ARTICLE 33. (Sale of Town Owned Land)** To see if the Town will vote to authorize the Board of Selectmen to convey, transfer or sell - pursuant to MGL Chapter 30B - a portion of town owned land located on the northwestern portion of Antigo Way and identified on the attached certified plan prepared by Ralph Reid and dated July 16, 2020 and measuring 192 square feet, or take any other action relative thereto.

**NO RECOMMENDATION:**

This is a small parcel of town-owned land, hence no recommendation (different from Not Recommended) as the Advisory and Finance Committee awaits the recommendation of the Town Owned Land Study Committee. A vote to approve will allow the Town to proceed with the sale.

**ARTICLE 34. (Discontinue a Portion Antigo Way)** To see if the Town, pursuant to Section 21 of MGL Chapter 82, will vote to discontinue - upon the Board of Selectmen's conveyance, transfer or sale – the portion of Town owned land addressed in the previous Article, as described in the certified plan prepared by Ralph Reid and dated July 16, 2020, or take any other action relative thereto.

**NO RECOMMENDATION:**

A vote for this Article will allow the Town to convey, transfer, or sell the small parcel of town-owned land specified in the previous article, thus discontinuing a portion of Antigo Way. Again, the Advisory and Finance Committee awaits the recommendation of the Town Owned Land Study Committee, and notes that this is a "No-Recommendation" vote and not a "Not Recommended" vote.



**ARTICLE 35. (Tree By-laws)** To see if the Town will vote to adopt a new article (“Article XIX – Trees”, a copy of which is on file with the Town Clerk) to the General By-laws aimed at, among other things: 1) the preservation of the tree canopy; 2) the planting of replacement trees; 3) the protection of air quality; and 4) the creation of a Nahant Tree Task Force, or take any other action relative thereto.

**RECOMMENDED:**

In Nahant’s 1925 Annual Town Report, Tree Warden Herbert Coles wrote, “Trees are a constant inspiration to an appreciation of the beauties of nature and are a nesting place and shelter for birds; they are also cooling in the hot temperature of summer”. This Article allows for the ongoing care and protection of trees on public property by the Tree Warden according to M.G.L. Part 1, Title 14, Chapter 8. Creation of a volunteer tree task force would assist the Tree Warden and DPW in following a more consistent plan of care. Any cost associated with this effort will be covered under the current DPW tree services budget. Acceptance of this Article helps the Town of Nahant meet the criteria of becoming a Tree City, which would also open up opportunities for the Town to apply for grant monies.

**ARTICLE 36. (Parking Violations)** To see if the Town will vote to rescind the acceptance of MGL Chapter 90, Section 20A, as voted at the 1964 Annual Town Meeting, and vote to accept MGL Chapter 90, Section 20A½, or to take any other action relative thereto.

**RECOMMENDED:**

The Town’s parking violation fees are restricted by a 50-year-old By-Law which was accepted in 1964. Acceptance of this Article will bring the Town’s parking violation fee structure in line with surrounding communities allowing, but not requiring, the Town to increase fees for parking violations, per M.G. L. Chapter 90, Section 20A ½.

**ARTICLE 37. (Chapter 90 Highway)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, or raise by borrowing, such sum of money in order to accomplish certain highway construction and maintenance pursuant to the provisions of the General Laws, Chapter 90, or other state transportation program, or take any other action relative thereto.

**RECOMMENDED:**

A vote to approve this Article will allow the Town to obtain reimbursement under Massachusetts General Laws, Chapter 90, or other state transportation programs, for paving and repair of streets and sidewalks, an ongoing need.

**ARTICLE 38. (General By-law Amendment - Non-Compostable Shopping Bag Reduction)** To see if the Town will vote to amend the Nahant General By-Laws by adding a new Article - ARTICLE XIX: NON-COMPOSTABLE SHOPPING BAG REDUCTION – in an attempt to abate detrimental environmental impacts by eliminating the usage of thin-film, single-use plastic bags by all Retail Establishments in the Town of Nahant; a copy of this amendment is available for review in the Town Clerk’s office, or take any other action relative thereto.

**RECOMMENDED:**

A vote to approve will add a new Article to our Town By-Laws, Article XIX, designed to limit harmful environmental effects and potential death of marine life from single-use, thin-film checkout bags distributed by retail establishments in the Town. Such bags have many detrimental ecological effects. They create a burden to solid waste and recycling facilities, can clog storm drains, pollute the land and sea, and require millions of barrels of crude oil for their manufacture. The Article defines permissible bags, generally made of paper or

polymers that are reusable, compostable, or marine degradable, as specified by the American Society for Testing Materials standards. Non-criminal penalties would be set at a warning for the first offense, \$25 for the second, \$50 for the third, \$100 for the fourth, and \$300 for the fifth and subsequent offenses. Each day with a violation shall be deemed a separate offense. The Board of Selectman may designate persons with authority to enforce this law, usually the Town Health Officer, who inspects retail establishments. If approved, the law will take effect in six months, to allow establishments to use existing inventory and convert to alternatives. Prior to adoption the Board of Selectmen shall hold a public hearing and may periodically amend the rules. Other towns in the Commonwealth, including such nearby towns as Swampscott, enforce laws preventing use of such bags.

**ARTICLE 39. (Lowlands Drainage)** - To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$100,000, or any other sum of money, to fund drainage improvements in the Lowlands neighborhood generally consisting of Castle Road, Fox Hill Road, and Ward Road, including but not limited to, improvements to existing infrastructure of storm-water pipes and outfalls to Lynn Harbor, drainage ditches, as well as development of infrastructure to improve drainage, or take any other action relative thereto.

#### **RECOMMENDED:**

The Finance and Advisory Committee is sympathetic to the residents in the lower Castle Road area, particularly during storm flooding. Several years ago, the 16” outfall pipe to Lynn Harbor was inadvertently blocked with a private seawall, preventing the proper draining of flood waters. Due to the nature of the topography in this area, ocean flooding cannot be prevented, especially during astronomical high tides in a storm. The Town has applied for a grant to conduct a study and to design a new outfall pump in this area. The Town has also been approved for a Municipal Vulnerability Program grant for design and pre-permitting on resilient access paths in the Short Beach dune area, specifically where the existing access points to the beach are located. Making changes to the Short Beach access paths, in combination with the clearing of material in the composting area and dredging of drainage ditches in the Lowlands area, should help to alleviate this ongoing problem. The Town also has two 8-inch portable pumps which can be strategically placed at times of ocean flooding. This is the first step in improving the drainage problem in the lower Castle Road area.

**ARTICLE 40. (Citizen Petition – Lowlands Drainage)** To see if the Town of Nahant will vote to appropriate up to \$100,000 or any sum of money, to fund plans and permitting to improve drainage in the Lowlands, in order to replace/repair/construct the existing Castle Road storm drain or a install new 36-inch-diameter storm drain, such plans and permitting will include the installation of a permanent fixed pump, and will include the payment of all costs incidental or related thereto, and to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

#### **NO RECOMMENDATION**

We expect that the petitioners will withdraw this motion on Town Meeting Day since the Town has worked with the petitioners to craft the previous Town sponsored Article 39, to achieve the same end in a manner that the Advisory and Finance Committee recommends.

**ARTICLE 41. (Citizen Petition - Wetlands Protection By-Law)** To see if the Town will vote to repeal, in its entirety, the Wetlands Protection By-law adopted at the August 27, 2018 Special Town Meeting, or take any other action relative thereto.

**NO RECOMMENDATION:**

The Advisory and Finance Committee does not offer a recommendation regarding citizen petition articles. We direct your attention to the report of the Wetlands Protection By-Law Study Committee found in the appendices of this booklet. Last year's Town Meeting, in response to a similar citizen's petition to repeal the Wetlands Protection By-Law, formed this committee to study and report back to the next Town Meeting (now this Town Meeting) with the facts about the petitioner's concerns regarding the Wetland's Protection By-Law. The Committee's report is presented, in entirety, in the appendix.

*Supporting Statement From Petitioner – Beatrice Rogers*

*There are many reasons to vote **in favor of repeal** of the Wetlands Protection Bylaw*

- *The Bylaw is damaging to homeowners in the protected zones*
  - *It can limit homeowners' ability to protect their homes from storm damage by preventing or delaying construction or repair of seawalls or flood barriers*
  - *It will lower resale values: more restrictions, fewer buyers*
  - *It exposes homeowners – but only those in the protected zones – to costs for scientific experts to document proposed home repairs and for legal representation in case they wish to appeal a denial in Superior Court*
- *The Bylaw is an extreme example of administrative overreach.*
  - *It gives long lists of activities which may be permitted or prohibited based simply on “the judgment of the Con Comm”*
  - *Many of these regulated activities **do nothing to protect** against sea level rise or storm water damage but relate to issues such as esthetics and protection of native plant species – worthy goals, perhaps, but not relevant to protecting wetlands or homeowners.*
  - *The law arbitrarily excludes property outside the indicated zones, though property at higher elevations may also affect flood risk.*
- *It exposes the Town to additional expense*
  - *An additional Town employee was requested to support administration of the Bylaw*
  - *The lack of concrete guidelines invites inconsistent application – and exposes the town to potential legal costs to defend a contested Con Comm decision.*
- *The Bylaw will not prevent expansion of Northeastern – and repealing it will not make expansion more likely.*

*At the 2019 Town Meeting, the Finance Committee made a strong, compelling case for voting to repeal the Bylaw. The vote was deferred by a motion to refer the issue to a study committee. The issue now comes before the Town again. The reasons for repeal remain strong.*

**ARTICLE 42. (Citizen Petition – Keeping Animals By-Law)** We Move to adopt the following into the Nahant General Bylaws

General

Number of animals per residence shall be limited to 10 (pets or other). This includes all animals, mammals, reptiles, and birds. All animals must be kept as to not create a public nuisance by noise, odors, and/or appearance of property.

Aquarium fish shall be exempt from this bylaw.

Setbacks

All fences, pens, and ancillary buildings must comply with all other by-laws and permitting as required.

Dog houses shall be exempt from this bylaw.

All pens, cages, and enclosures to house animals other than dogs shall require setbacks of 25 feet from all property lines.

Pens/sty's for the purposes of keeping swine and other farm type animals shall require setbacks of 100 feet from all property lines.

Property owners that have ponds and pools used for the purpose of keeping waterfowl, or troughs for watering of animals shall provide insect control to reduce the possibility of Triple E and other insect, bird, and animal Bourne viruses.

For farm type animals, a waste control plan for the elimination/removal of fecal waste must be filed with the town health department. Fecal waste must not be stored or spread on owner's property or disposed of in the Town's composting site.

Enforcement of this bylaw shall be the jurisdiction of the Animal Control Officer and/or Health Inspector.

Whoever is found in violation of this bylaw shall be given a 30-day notice to comply/ and after 30 days, will be subject to a \$10 fine per day per animal over the limit until compliance is met.no w

### **NO RECOMMENDATION:**

The Advisory and Finance Committee makes no recommendation on this article, believing that it does not impact Town finances and deals with a question that should be left to the voters to decide.

**ARTICLE 43. (Continue Committees)** To see if the Town will vote to continue the following standing committees to June 30, 2022: Community Preservation Committee, Cable TV Advisory Committee, Veterans Memorial Committee, Sailing Committee, Cemetery Advisory Committee, Coast Guard Design and Development Advisory Committee, Town Charter and Bylaw Committee, Tennis Committee, Town Owned Land Study Committee, Nahant Alternative Energy Committee, Golf Course Management Advisory Committee, and the Open Space and Recreation Plan Committee, , Cultural Council, FEMA Flood Insurance Study Committee, Green Community Committee, Municipal Vulnerability Preparedness Committee, Noise Abatement Committee, Nahant Fire Station Architectural Assessment Committee, or take any other action relative thereto.

### **RECOMMENDED:**

The Advisory and Finance Committee recommends that the Town continue the Committees listed in this Article. Since these committees have been established by previous Town Meeting votes rather than by Town By-Laws, we must vote annually to continue their existence through the coming fiscal year.

## **FY 2022 Omnibus Budget Appropriations and Projected Revenues**

In the following pages prior to the Appendices, you'll find the fiscal year 2022 Omnibus Budget Appropriations and fiscal year 2022 Projected Revenues as recommended by the Advisory and Finance Committee.

Any recommended changes that may be identified between now and May 15<sup>th</sup> will be noted at Town Meeting.

**Town of Nahant  
Fiscal Year 2022 Projected Revenues**

LINE #	<u>GENERAL FUNDS</u>	2018 ACTUAL REVENUES	2019 ACTUAL REVENUES	2020 ACTUAL REVENUES	2021 ESTIMATED REVENUES	2022 ESTIMATED REVENUES	% Change FY21 vs. FY22
<b>Real Estate &amp; Personal Property</b>							
1	Personal Property Taxes	255,802	277,032	271,005	279,190	286,170	2.5%
2	Personal Property Tax Refund	0	0		(316)	0	-100.0%
3	Real Estate Taxes	8,532,159	9,402,671	10,175,463	10,607,631	10,835,039	2.1%
4	Real Estate Tax Refund	0	(40,411)	(75,374)	(36,523)	0	-100.0%
5	<i>Maximum Levy Limit</i>	<b>8,787,961</b>	<b>9,639,292</b>	<b>10,371,094</b>	<b>10,849,982</b>	<b>11,121,209</b>	2.5%
6	Tax Title Collected	4,747	16,413	0	0	0	0.0%
7	Overlay Reserve	0			(180,000)	(180,000)	0.0%
<b>Local Revenue</b>							
8	Tax Foreclosure	0	0	0	0	0	0.0%
9	R/E Deferrals	0	0	0	0	0	0.0%
10	Motor Vehicle Excises	636,935	637,191	599,010	584,250	610,990	4.6%
11	Motor Vehicle Excise Refund	(13,477)	(19,912)	(9,911)	(20,500)	(10,109)	-50.7%
12	Boat Excise Taxes	6,055	7,637	6,009	6,362	6,129	-3.7%
13	Boat Excise Refund	(53)	(57)	(56)	(158)	(57)	-63.8%
14	Interest on Taxes/Excises	19,318	16,839	26,825	20,296	27,362	34.8%
15	Penalty - Demand Payments	4,018	3,970	3,434	4,222	3,503	-17.0%
16	Payment In Lieu of Taxes	1,555	1,559	1,559	1,634	1,590	-2.7%
17	Meals Tax Revenue			18,121		18,484	100.0%
18	Ambulance Fees	200,157	156,846	154,904	184,581	158,002	-14.4%
19	Other Charges For Services	7,801	10,628	3,210	8,196	3,274	-60.1%
20	Fees	30,976	32,665	39,775	32,544	40,570	24.7%
21	Cemetery Fees	7,250	9,350	8,500	7,617	8,670	13.8%
22	Rentals	212,380	232,841	179,490	223,132	183,080	-18.0%
23	Military Housing Rentals	197,304	208,160	191,861	207,292	195,698	-5.6%
24	Alcoholic Beverage License	8,700	8,800	8,700	9,140	8,874	-2.9%
25	Other Licenses	12,480	13,148	12,165	13,111	12,409	-5.4%
26	Permits	123,464	99,467	96,817	129,714	98,754	-23.9%
27	Beach Stickers	11,479	11,498	12,353	11,785	12,600	6.9%
28	State Reimbursement - Taxes	0	0	0	29,445	0	-100.0%
29	Fines & Forfeits	32,392	30,691	38,953	37,088	44,732	20.6%
30	Sale of Inventory	2,576	3,150	12,450	0	0	-100.0%
31	Earnings on Investments	4,938	8,009	10,693	5,188	10,907	110.2%
32	Other Miscellaneous Revenue	34,413	6,726	7	0	0	0.0%



**Town of Nahant**  
**Fiscal Year 2022 Projected Revenues**

LINE #	GENERAL FUNDS	2018 ACTUAL REVENUES	2019 ACTUAL REVENUES	2020 ACTUAL REVENUES	2021 ESTIMATED REVENUES	2022 ESTIMATED REVENUES	% Change FY21 vs. FY22
33	Sale of Land			5,000	0	0	0.0%
34	Interfund Transfer In - Indirect Costs	211,854	218,211	219,327	225,859	230,379	2.0%
35	CMS Retiree Subsidy	0	0	0	0	0	0.0%
36	<b><i>SUBTOTAL LOCAL RECEIPTS</i></b>	<b><i>1,754,534</i></b>	<b><i>1,699,436</i></b>	<b><i>1,641,214</i></b>	<b><i>1,722,820</i></b>	<b><i># 1,667,860</i></b>	<b><i>-3.2%</i></b>
<b>CHERRY SHEET</b>							
37	State Education Dist/Reimb - CH70	508,003	515,803	523,513	523,513	531,403	1.5%
38	Charter School Reimbursement	1,690	3,135	67,472	33,645	18,094	-46.2%
39	State General Dist/Reimb-UGGA	412,720	415,824	401,221	401,221	415,264	3.5%
40	Veterans Benefits			13,559	13,992	14,172	1.3%
41	Exemptions - VBS & Elderly	28,723	27,977	28,800	28,802	23,679	-17.8%
42	State Owned Land			1,216	1,209	1,277	5.6%
43	<b><i>SUBTOTAL CHERRY SHEET AID</i></b>	<b><i>951,136</i></b>	<b><i>962,739</i></b>	<b><i>1,035,781</i></b>	<b><i>1,002,382</i></b>	<b><i>1,003,889</i></b>	<b><i>0.2%</i></b>
44	State Other Revenues (Extra Election Revenue)	1,276	1,614	345	0	0	0.0%
45	<b>TOTAL GENERAL FUNDS</b>	<b>11,499,654</b>	<b>12,319,494</b>	<b>13,048,434</b>	<b>13,395,184</b>	<b>13,612,958</b>	<b>1.6%</b>
	Estimated Appropriations			(13,473,556)	(14,044,092)	(14,375,518)	
	Article #2 - FY2021 Snow & Ice					30,000	
	Article #16 - Paving					(100,000)	
	Overlay Surplus - Omnibus			66,477	60,000	60,000	
	Free Cash - Omnibus			741,918	621,922	555,111	
	Free Cash - Article #14 - OPEB Stabilization Fund					25,000	
	Free Cash - Article #15 - Stabilization Fund					125,000	
	Free Cash - Article #16 - Paving					100,000	
	Snow and Ice - Raise on Recap			0	(27,126)	(30,000)	
	<b>Variance over (short)</b>			<b>383,273</b>	<b>5,888</b>	<b>2,551</b>	
	<b>AVAILABLE SOURCES - GENERAL FUND</b>					<b>Available</b>	
	Estimated Overlay Surplus	60,000				0	
	Free Cash, certified FY20 for FY22 use	805,111				0	
	<b>TOTAL ESTIMATED</b>	<b>865,111</b>				<b>0</b>	

**Town of Nahant  
Fiscal Year 2022 Projected Revenues**

LINE #		2018 ACTUAL REVENUES	2019 ACTUAL REVENUES	2020 ACTUAL REVENUES	2021 ESTIMATED REVENUES	2022 ESTIMATED REVENUES	% Change FY21 vs. FY22
<b>Rubbish Enterprise Fund</b>							
46	Rubbish/Recycling Fees	450,732	456,637	450,020	512,501	566,927	10.6%
47	Tax Title Redeemed	0	0	0	0	0	0.0%
48	Utility Liens	8,593	5,912	7,341	0	0	0.0%
49	Earnings on Investment	614	1,104	1,826	200	200	0.0%
50	Other Charges for Services	2,702	2,247	2,290	0	0	0.0%
<b>51</b>	<b>Total Rubbish Enterprise Fund</b>	<b>462,641</b>	<b>465,900</b>	<b>461,477</b>	<b>512,701</b>	<b>567,127</b>	<b>10.6%</b>
	Estimated Appropriations					(567,127)	
	Estimated Capital (compost area and recycling bins)					(125,000)	
	Retained Earnings					125,000	
	<b>Variance over (short)</b>					<b>0</b>	
	<b>AVAILABLE SOURCES - RUBBISH ENTERPRISE FUND</b>					<b>Available</b>	
	Retained Earnings, certified FY20 for FY22 use	221,416				96,416	
<b>W/S Enterprise Fund</b>							
52	Water Usage Charges	784,469	926,625	885,331	930,252	992,029	6.6%
53	Sewer Usage Charges	656,954	734,887	839,813	942,084	1,098,596	16.6%
54	Water Meters	3,525	1,475	650	500	500	0.0%
55	Tax Title Liens	0	0	0	0	0	0.0%
56	Utility Liens	70,390	44,465	56,791	0	0	0.0%
57	Earnings on Investment	89	669	1,504	100	100	0.0%
58	Other Charges for Services	1,580	250	900	0	0	0.0%
59	Penalties & Interest	9,083	10,491	10,675	0	0	0.0%
60	Transfers-In Capital (Rescind)	0					
61	Transfers-In Debt Shift	239,805	862,033	830,318	811,264	793,807	-2.2%
<b>62</b>	<b>Total W/S Enterprise Fund</b>	<b>1,765,895</b>	<b>2,580,896</b>	<b>2,625,982</b>	<b>2,684,200</b>	<b>2,885,032</b>	<b>7.5%</b>
	Estimated Appropriations					(2,884,225)	
	Estimated Capital (new W/S Truck; backhoe; paving)					(190,000)	
	Retained Earnings					190,000	
	<b>Variance over (short)</b>					<b>807</b>	
	<b>AVAILABLE SOURCES - RUBBISH ENTERPRISE FUND</b>					<b>Available</b>	
	Retained Earnings, certified FY20 for FY22 use	275,976				85,976	

**Town of Nahant  
Article 6 - Omnibus Budget  
Appropriations**

Line #	FY19 Actual Expenses	FY20 Actual Expenses	FY21 Budgeted Budget	FY22 Recommended Budget	% Change from FY21
<b>General Government</b>					
<u>Moderator</u>					
1	0	0	60	60	0.00%
<u>Selectmen</u>					
2	2	0	3	3	0.00%
3	149,432	142,409	140,400	142,400	1.42%
<u>Public Health</u>					
4				97,500	100.00%
5				20,000	100.00%
<u>Town Administrator</u>					
6	308,915	219,857	226,151	231,767	2.48%
7	10,445	10,654	0	0	0.00%
8	3,395	3,463	3,533	0	-100.00%
9	0	0	0	0	0.00%
10	0	0	500	0	-100.00%
11	0	0	500	500	0.00%
12	33,510	9,398	39,150	30,650	-21.71%
13	1,073	0	2,900	2,900	0.00%
<u>Finance Committee</u>					
14	14,117	6,365	20,160	9,960	-50.60%
<u>Town Accountant</u>					
15	165,274	169,248	190,755	172,659	-9.49%
16	9,197	9,147	10,467	9,217	-11.94%
<u>Assessors</u>					
17	143,720	144,953	153,633	99,751	-35.07%
18				64,000	100.00%
<u>Treasurer/Collector</u>					
19	151,823	124,302	125,832	129,285	2.74%
20	45,729	45,092	62,250	63,400	1.85%
21	1,234	1,395	1,400	1,400	0.00%
<u>Town Counsel</u>					
22	35,000	55,000	55,000	55,000	0.00%
<u>Town Hall</u>					
23	29,339	29,139	31,261	31,580	1.02%
24	41,425	47,224	47,500	47,500	0.00%
25	0	1,400	10,000	10,000	0.00%
<u>Data Processing</u>					
26	5,700	32,920	0	0	0.00%
27	113,841	168,447	196,800	199,836	1.54%
<u>Town Clerk</u>					
28	64,203	58,354	69,388	70,778	2.00%
29	5,533	9,825	13,005	15,800	21.49%
30	1,234	1,395	1,400	1,400	0.00%
<u>Election/Registration</u>					
31	5,187	4,878	4,991	5,159	3.37%
32	8,592	8,282	11,724	10,400	-11.29%
<u>Conservation Commission</u>					
33	493	760	1,260	1,260	0.00%
<u>Planning Board</u>					
34	2,648	1,924	0	2,400	100.00%
35	0	0	2,650	250	-90.57%
<u>Zoning/Board of Appeals</u>					
36	3,266	2,673	2,900	2,900	0.00%
<b>Total General Government</b>					<b>7.31%</b>
	<b>1,354,327</b>	<b>1,308,503</b>	<b>1,425,573</b>	<b>1,529,715</b>	

**Town of Nahant  
Article 6 - Omnibus Budget  
Appropriations**

Line #	FY19 Actual Expenses	FY20 Actual Expenses	FY21 Budgeted Budget	FY22 Recommended Budget	% Change from FY21
<b>Public Safety</b>					
<u>Police Department</u>					
37	1,306,092	1,305,886	1,348,928	1,369,268	1.51%
38	147,303	147,381	148,580	151,564	2.01%
39	65,500	39,900	60,750	65,875	8.44%
40	0	0	0	0	0.00%
41	<b>1,518,895</b>	<b>1,493,168</b>	<b>1,558,258</b>	<b>1,586,707</b>	<b>1.83%</b>
<u>Fire Department</u>					
42	950,939	871,691	933,829	1,023,785	9.63%
43	165,649	139,781	170,600	177,300	3.93%
44	17,962	12,729	30,000	25,000	-16.67%
45	<b>1,134,549</b>	<b>1,024,202</b>	<b>1,134,429</b>	<b>1,226,085</b>	<b>8.08%</b>
	<b>2,653,445</b>	<b>2,517,369</b>	<b>2,692,687</b>	<b>2,812,792</b>	<b>4.46%</b>
<b>Other Public Safety</b>					
<u>Inspectional Services Department</u>					
46	16,950	17,459	17,809	18,165	2.00%
<u>Health</u>					
47	0	0	10,867	0	-100.00%
<u>Building Inspection</u>					
48	11,073	11,294	11,520	11,751	2.01%
49	5,404	5,512	5,622	5,735	2.01%
50	0	0	960	960	0.00%
51	6,473	6,110	7,000	7,000	0.00%
<u>Plumbing/Gas Inspection</u>					
52	4,079	4,161	4,244	4,329	2.00%
53	2,105	2,148	2,191	2,235	2.01%
54	240	320	500	500	0.00%
55	659	748	950	950	0.00%
<u>Wiring Inspection</u>					
56	4,079	4,161	4,244	4,329	2.00%
57	2,105	2,148	2,191	2,235	2.01%
58	0	240	500	500	0.00%
59	1,669	1,503	950	950	0.00%
<u>Emergency Management</u>					
60	6,400	6,366	7,047	9,372	32.99%
61	3,239	3,118	6,250	6,376	2.02%
<u>Animal Control</u>					
62	9,595	9,787	9,983	10,183	2.00%
63	2,278	1,848	2,415	2,415	0.00%
64	0	641	1,575	1,575	0.00%
<u>Parking Clerk</u>					
65	0	0	0	6,750	100.00%
66	17,778	12,844	13,500	14,240	5.48%
<u>Harbormaster</u>					
67	1,398	1,426	1,454	1,484	2.06%
68	1,869	1,869	1,869	1,907	2.03%
69	3,918	5,082	7,280	7,280	0.00%
70	4,340	0	0	0	0.00%
<u>Wharfinger</u>					
71	1,398	1,426	1,454	1,484	2.06%
72	468	479	488	498	2.05%
73	1,738	1,376	1,752	1,752	0.00%
74	0	0	1,500	8,000	433.33%
<u>Ocean Rescue</u>					
75	0	0	0	0	0.00%
76	0	0	0	0	0.00%
	<b>109,256</b>	<b>102,066</b>	<b>126,115</b>	<b>132,955</b>	<b>5.42%</b>
	<b>2,762,701</b>	<b>2,619,436</b>	<b>2,818,802</b>	<b>2,945,747</b>	<b>4.50%</b>

**Town of Nahant  
Article 6 - Omnibus Budget  
Appropriations**

Line #	FY19 Actual Expenses	FY20 Actual Expenses	FY21 Budgeted Budget	FY22 Recommended Budget	% Change from FY21
<b>Education System</b>					
School Department					
77	325,242	328,839	446,574	446,574	0.00%
78	1,397,250	1,449,647	1,507,663	1,567,938	4.00%
79	1,717,402	1,695,040	1,769,578	1,824,282	3.09%
80	<u>3,439,894</u>	<u>3,473,526</u>	<u>3,723,815</u>	<u>3,838,794</u>	<u>3.09%</u>
Transportation					
81	152,280	121,373	152,280	167,508	10.00%
82	18,325	26,606	64,579	51,440	-20.35%
83	<u>170,605</u>	<u>147,978</u>	<u>216,859</u>	<u>218,948</u>	<u>0.96%</u>
84	420,404	377,683	365,600	353,600	-3.28%
85	<u>160,572</u>	<u>152,731</u>	<u>188,428</u>	<u>188,428</u>	<u>0.00%</u>
<b>Total Education System</b>	<b>4,191,475</b>	<b>4,151,917</b>	<b>4,494,702</b>	<b>4,599,770</b>	<b>2.34%</b>

**Town of Nahant  
Article 6 - Omnibus Budget  
Appropriations**

Line #	FY19 Actual Expenses	FY20 Actual Expenses	FY21 Budgeted Budget	FY22 Recommended Budget	% Change from FY21
<b>Public Works Department</b>					
<u>Public Works Operations</u>					
86	537	6,700	7,026	7,379	5.02%
87	774	2,300	22,850	23,160	1.36%
88	0	0	12,500	12,500	0.00%
	1,311	9,000	42,376	43,039	1.56%
<u>Highways/Streets/Parks/Beaches</u>					
89	96,731	107,653	104,414	114,075	9.25%
90	122,347	147,450	163,695	169,187	3.36%
91	6,000	0	24,000	24,000	0.00%
	225,078	255,103	292,109	307,262	5.19%
92	101,996	57,126	30,000	30,000	0.00%
93	0	0	0	0	0.00%
<u>Beaches &amp; Parks</u>					
94	45,619	50,871	65,505	67,163	2.53%
95	20,670	24,526	18,700	22,786	21.85%
96	0	0	0	0	0.00%
	66,289	75,397	84,205	89,949	6.82%
<u>Cemetery</u>					
97	28,143	33,459	34,500	35,235	2.13%
98	11,190	8,254	10,050	10,050	0.00%
99	0	0	1,000	1,000	0.00%
	39,333	41,713	45,550	46,285	1.61%
<u>Overhead Operations</u>					
100	13,083	10,117	0	0	0.00%
101	2,500	1,338	0	0	0.00%
102	2,324	10,060	67,690	80,619	19.10%
	17,907	21,516	67,690	80,619	19.10%
<b>Total Public Works Department</b>	<b>451,914</b>	<b>459,855</b>	<b>561,930</b>	<b>597,154</b>	<b>6.27%</b>



**Town of Nahant  
Article 6 - Omnibus Budget  
Appropriations**

Line #	FY19 Actual Expenses	FY20 Actual Expenses	FY21 Budgeted Budget	FY22 Recommended Budget	% Change from FY21
<b>Culture/Recreation</b>					
<u>Council on Aging</u>					
103	37,878	36,617	42,155	42,652	1.18%
104	19,078	16,062	15,950	15,950	0.00%
105	0	0	0	0	0.00%
<u>Veteran's Agent</u>					
106	6,444	8,000	8,240	8,405	2.00%
107	19,709	21,301	38,575	38,575	0.00%
<u>Library</u>					
108	153,223	139,926	159,730	171,689	7.49%
109	65,460	72,845	68,397	70,734	3.42%
110	0	0	0	0	0.00%
<u>Recreation -General</u>					
111	3,090	3,090	3,090	3,152	2.01%
<u>Recreation-Sailing</u>					
112	3,605	3,605	5,000	5,650	13.00%
<u>Recreation-Tennis</u>					
113	2,880	2,880	2,880	2,880	0.00%
<u>Historical Commission</u>					
114	0	0	0	0	0.00%
<u>Memorial Day Committee</u>					
115	7,091	2,855	7,500	7,500	0.00%
<u>Fourth of July Committee</u>					
116	2,689	330	2,300	2,300	0.00%
<u>Beautification Committee</u>					
117	2,062	1,327	2,150	2,150	0.00%
<u>Personnel Committee</u>					
118	0	0	0	0	0.00%
<u>Military Housing</u>					
119	47,462	90,976	83,980	86,320	2.79%
<b>Total Culture/Recreation</b>					
	<b>370,670</b>	<b>399,815</b>	<b>439,947</b>	<b>457,957</b>	<b>4.09%</b>

**Town of Nahant  
Article 6 - Omnibus Budget  
Appropriations**

Line #	FY19 Actual Expenses	FY20 Actual Expenses	FY21 Budgeted Budget	FY22 Recommended Budget	% Change from FY21
<b>General Debt Service</b>					
120 Debt Service	41,714	44,853	318,467	293,641	-7.80%
121 Military Housing Debt Service	34,601	36,000	47,000	48,000	2.13%
122 Short Term Debt	48,256	15,150	40,000	40,000	0.00%
<b>Total Debt Service</b>	<b>124,570</b>	<b>96,003</b>	<b>405,467</b>	<b>381,641</b>	<b>-5.88%</b>
<b>Total Operation Cost</b>	<b>9,255,657</b>	<b>9,035,528</b>	<b>10,146,421</b>	<b>10,511,984</b>	<b>3.60%</b>
<b>Intergovernmental</b>					
Cherry Sheet					
123 State Assessments	101,026	111,863	101,583	112,429	10.68%
124 County Assessments	0	0	0	0	0.00%
125 School Choice Assessment	0	0	10,436	10,436	0.00%
126 Charter School Assessment	27,904	105,413	114,503	136,574	19.28%
<b>Total Intergovernmental</b>	<b>128,930</b>	<b>217,276</b>	<b>226,522</b>	<b>259,439</b>	<b>14.53%</b>
<b>Other Expenses</b>					
127 Pension/Annuity Expenses	0	0	0	0	0.00%
128 Essex County Retirement Expenses	834,826	876,067	965,000	965,000	0.00%
129 Unemployment Compensation	0	0	25,000	25,000	0.00%
130 Health Insurance	825,217	766,114	975,000	975,000	0.00%
131 Life Insurance	1,292	1,312	2,000	2,000	0.00%
132 Medicare Expenses	80,271	78,169	88,000	89,760	2.00%
133 Insurance Committee Expenses	242,195	215,752	283,472	303,528	7.08%
134 Retirement Account	0	5,374	50,000	50,000	0.00%
<b>Total Other Expenses</b>	<b>1,983,801</b>	<b>1,942,788</b>	<b>2,388,472</b>	<b>2,410,288</b>	<b>0.91%</b>
<b>Total Before Reserve Fund and Articles</b>	<b>11,368,388</b>	<b>11,195,592</b>	<b>12,761,415</b>	<b>13,181,711</b>	<b>3.29%</b>
Reserve Funds					
135 Base Appropriation	0	0	343,913	250,000	-27.31%
136 Reserve	0	0	0	0	0.00%
Total Reserve Funds	0	0	343,913	250,000	-27.31%
<b>Total General Funds</b>	<b>11,368,388</b>	<b>11,195,592</b>	<b>13,105,328</b>	<b>13,431,711</b>	<b>2.49%</b>

**Town of Nahant  
Article 6 - Omnibus Budget  
Appropriations**

Line #	FY19 Actual Expenses	FY20 Actual Expenses	FY21 Budgeted Budget	FY22 Recommended Budget	% Change from FY21	
<b>Interfund Transfers-Out</b>						
137	Transfer to W/S Enterprise Fund Debt Shift	862,033	830,318	811,264	793,807	-2.15%
138	Transfer to Capital Projects	225,000	324,234	2,500	0	-100.00%
139	Transfer to Wharf Insurance	15,000	0	0	0	0.00%
140	FEMA - Storm Damage	0	450,000	0	0	0.00%
141	Stabilization Fund	0	100,000	100,000	125,000	25.00%
142	OPEB Stabilization Fund	0	25,000	25,000	25,000	0.00%
<b>Total Interfund Transfers Out</b>		<b>1,102,033</b>	<b>1,729,552</b>	<b>938,764</b>	<b>943,807</b>	<b>0.54%</b>
<b>TOTAL APPROPRIATIONS</b>		<b>12,470,421</b>	<b>12,925,144</b>	<b>14,044,092</b>	<b>14,375,518</b>	<b>2.36%</b>

<b>Estimated Revenue</b>	<b>13,610,936</b>
<b>Funded from Overlay Surplus</b>	<b>60,000</b>
<b>Funded from Free Cash</b>	<b>705,111</b>
<b>Surplus or (Shortage)</b>	<b>529</b>

## **APPENDIX 1**

### **One Time Sources & Uses**

This Appendix shows what money is available to spend, its source, and what the Board of Selectmen recommend spending it on.

*Disbursements from Available Funds  
From Free Cash and Other Sources of Funds*

<b>Current Available Sources-General Fund</b>	
Available Article Transfers	0
Available Free Cash	805,111
Overlay Surplus	60,000
<b>Total Available Sources</b>	<b>865,111</b>
<b>Uses of Sources-General Fund</b>	
FY 22 (Art 6 ATM 5/21) - Town Administrator's Capital	2,900
FY 22 (Art 6 ATM 5/21) - Town Hall Capital	10,000
FY 22 (Art 6 ATM 5/21) - Treasurer/Collector's Capital	1,400
FY 22 (Art 6 ATM 5/21) - Town Clerk's Capital	1,400
FY 22 (Art 6 ATM 5/21) - Police Capital	65,875
FY 22 (Art 6 ATM 5/21) - Fire Capital	25,000
FY 22 (Art 6 ATM 5/21) - Wharfinger Capital	8,000
FY 22 (Art 6 ATM 5/21) - DPW Administrative Capital	12,500
FY 22 (Art 6 ATM 5/21) - Highway and Streets Capital	24,000
FY 22 (Art 6 ATM 5/21) - Cemetery Capital	1,000
FY 22 (Art 6 ATM 5/21) - Debt Payments	285,036
FY 22 (Art 6 ATM 5/21) - Reserve Fund	178,000
FY 22 (Art 14 ATM 5/21) - OPEB-Stabilization Fund	25,000
FY 22 (Art 15 ATM 5/21) - Stabilization Fund	125,000
FY 22 (Art 16 ATM 5/21) - Paving	100,000
<b>Total Uses of Sources</b>	<b>865,111</b>
<b>Balance Remaining-General Fund</b>	
	<b>0</b>
<b>Current Available Sources-W/S Enterprise Fund</b>	
Available Retained Earnings	275,976
<b>Total Available Sources</b>	<b>275,976</b>
<b>Uses of Sources-W/S Enterprise Fund</b>	
FY 22 (Art 2 ATM 5/21) - FY2021 Snow & Ice (purchase of backhoe)	48,000
FY 22 (Art 8 ATM 5/21) - Water/Sewer Equipment & Paving	30,000
FY 22 (Art 19 ATM 5/21) - DPW Capital	112,000
<b>Total Uses of Sources</b>	<b>190,000</b>
<b>Balance Remaining-W/S Enterprise Fund</b>	
	<b>85,976</b>
<b>Current Available Sources-Rubbish Enterprise Fund</b>	
Available Retained Earnings	221,416
<b>Total Available Sources</b>	<b>221,416</b>
<b>Uses of Sources-Rubbish Enterprise Fund</b>	
FY 22 (Art 10 ATM 5/21) - Compost Site	50,000
FY 22 (Art 11 ATM 5/21) - Recycling Carts	75,000
<b>Total Uses of Sources</b>	<b>125,000</b>
<b>Balance Remaining-Rubbish Enterprise Fund</b>	
	<b>96,416</b>
FY 21 Snow & Ice To be Raised on Recapitulation Sheet	30,000

## **APPENDIX 2**

### **Town of Nahant Five Year Financial Plan**

A previous Town Meeting vote required the Town Administration and the School Department to prepare five-year financial projections for inclusion in the Report and Recommendations of the Advisory and Finance Committee.

This five year plan has been structured using the budgets that the Town Administrator and Board of Selectmen deem appropriate to operate the Town departments properly. Important and necessary capital improvement programs are incorporated to identify the equipment/physical needs of the Town along with the cost estimates to pay for these needs. Also included are water and sewer rates projected through FY 2026.

As you can see, this five year plan does not balance projected expenses to revenues. The Town Administrator and Board of Selectmen will be reviewing other sources of funds. The Capital Plan Shortages will be funded through grants and other financing sources as they become available. If the funds are not available, the Town Administrator and Board of Selectmen will make necessary cuts to balance the budget. As needs and finances change, we will review all information necessary to update this plan or recommend a new plan based upon priorities.



**Operating Budgets Vs Revenue Projections**

	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY25</u>	<u>FY26</u>
Operating Budgets	14,375,518	14,971,150	15,073,559	15,238,255	15,363,058
Revenue Projections	13,610,936	14,297,143	14,501,479	14,782,634	15,063,853
Use of Available Funds (Overlay&Free Cash)	765,111	674,007	572,080	455,621	299,205
Surplus/(Shortage)	529	0	0	0	0

**Capital Budgets Vs Capital Revenue Projections**

	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>FY26</u>
Capital Budgets	3,731,250	1,907,500	673,200	609,675	612,500
Less: Capital through General Fund	(54,800)	(265,500)	(81,200)	(17,675)	(20,500)
Cost of Capital Budgets	3,676,450	1,642,000	592,000	592,000	592,000
Revenue Projections/Grants/Chapter 90	92,000	92,000	92,000	92,000	92,000
Use of Available Funds (Free Cash)	252,075	200,000	100,000	100,000	100,000
CPA Funding	692,375	150,000	150,000	150,000	150,000
CPA Borrowing	2,000,000				
Borrowings	640,000	1,200,000	250,000	250,000	250,000
Capital Using Other Sources	0	0	0	0	0
Surplus/(Shortage)	0	0	0	0	0
Total Operating and Capital Shortage	529	0	0	0	0

**Water/Sewer Enterprise Fund**

	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>FY26</u>
Operating Budgets	2,884,225	3,400,195	3,348,813	3,362,701	3,379,673
Revenue Projections	2,885,032	3,400,195	3,349,411	3,362,701	3,379,673
Surplus/(Shortage)	807	0	0	0	0

**W/S Enterprise Fund Capital Budgets Vs Capital Revenue Projections**

	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>FY26</u>
Capital Budgets	449,500	361,500	436,500	436,500	361,500
Less: Capital through W/S Rates	(107,500)	(90,000)	(90,000)	(90,000)	(90,000)
Cost of Capital Budgets	342,000	271,500	346,500	346,500	271,500
Use of Available Funds (Retained Earnings)	142,000	100,000	100,000	100,000	90,000
Borrowings	200,000	171,500	246,500	246,500	181,500
Surplus/(Shortage)	0	0	0	0	0
Total W/S Enterprise Operating and Capital	807	0	0	0	0

**Rubbish Enterprise Fund**

	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>FY26</u>
Operating Budgets	567,127	579,075	590,657	602,470	614,519
Revenue Projections	567,127	579,075	590,657	602,470	614,519
Use of Available Funds (Retained Earnings)	0	0	0	0	0
Surplus/(Shortage)	0	0	0	0	0

**Rubbish Enterprise Fund Capital Budgets Vs Capital Revenue Projections**

	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>FY26</u>
Capital Budgets	125,000	10,000	10,000	10,000	10,000
Use of Available Funds	125,000	10,000	10,000	10,000	10,000
Borrowings	0	0	0	0	0
Surplus/(Shortage)	0	0	0	0	0

This five year plan has been structured using the budgets that the Town Administrator and Board of Selectmen deem appropriate to operate the Town departments properly. Important and necessary capital improvement programs are incorporated to identify the equipment/physical needs of the Town along with the cost estimates to pay for these needs. Also included are water and sewer rates projected through FY2026.

In cases where projected expenses are not covered by projected revenues, the Town Administrator and Board of Selectmen will be review other sources of funds. Any Capital Plan Shortages will be funded through grants and other financing sources as they become available. If the funds are not available, the Town Administrator and Board of Selectmen will make necessary cuts to balance the budget. As needs and finances change, we will review all information necessary to update this plan or recommend a new plan based upon priorities.

**Town of Nahant  
PROJECTED APPROPRIATIONS**

	<i>FY 22</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 23</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 24</i> <i>Appropriation</i> <i>Budget</i>	<i>FY25</i> <i>Appropriation</i> <i>Budget</i>	<i>FY26</i> <i>Appropriation</i> <i>Budget</i>
<b>General Government</b>					
Moderator					
General Expenses	60	60	60	60	60
Selectmen					
Salaries/Wages	3	3	3	3	3
General Expenses	142,400	145,248	148,153	151,116	154,138
Public Health					
Salaries/Wages	97,500	99,450	101,439	103,468	105,537
General Expenses	20,000	20,400	20,808	21,224	21,649
Town Administrator					
Salaries/Wages	231,767	236,402	241,130	245,953	250,872
Health Inspector	0	0	0	0	0
Public Health Nurse	0	0	0	0	0
Health Assistant	0	0	0	0	0
Asst. Health Inspector	0	0	0	0	0
Town Physician	0	0	0	0	0
ADA Coordinator	500	510	520	531	541
General Expenses	30,650	31,263	31,888	32,526	33,177
Capital Outlay	2,900	2,900	2,900	2,900	2,900
Finance Committee					
General Expenses	9,960	10,159	10,362	10,570	10,781
Town Accountant					
Salaries/Wages	172,659	176,112	179,634	183,227	186,892
General Expenses	9,217	9,401	9,589	9,781	9,977
Assessors					
Salaries/Wages	99,751	101,746	103,781	105,857	107,974
General Expenses	64,000	65,280	66,586	67,917	69,276
Treasurer/Collector					
Salaries/Wages	129,285	131,871	134,508	137,198	139,942
General Expenses	63,400	64,668	65,961	67,281	68,626
Capital Outlay-Copier	1,400	1,400	1,400	1,400	1,400
Town Counsel					
Annual Fee	55,000	56,100	57,222	58,366	59,534
Town Hall					
Salaries/Wages	31,580	32,527	33,178	33,842	34,518
General Expenses	47,500	48,450	49,419	50,407	51,416
Capital Outlay	10,000	10,000	10,000	10,000	10,000
Data Processing					
Salaries/General Expenses	199,836	203,833	207,909	212,068	216,309
Town Clerk					
Salaries/Wages	70,778	72,194	73,637	75,110	76,612
General Expenses	15,800	16,116	16,438	16,767	17,102
Capital Outlay	1,400	1,400	1,400	1,400	1,400
Election/Registration					
Salaries/Wages	5,159	5,262	5,367	5,475	5,584
General Expenses	10,400	10,608	10,820	11,037	11,257
Capital Outlay	0	0	0	0	0
Conservation Commission					
General Expenses	1,260	1,285	1,311	1,337	1,364
Planning Board					
General Expenses	2,650	2,703	2,757	2,812	2,868
Zoning/Board of Appeals					
General Expenses	2,900	2,958	3,017	3,078	3,139
<b>Total General Government</b>	<b>1,529,715</b>	<b>1,560,310</b>	<b>1,591,201</b>	<b>1,622,710</b>	<b>1,654,849</b>

<i>Town of Nahant</i> <b>PROJECTED APPROPRIATIONS</b>	<i>FY 22</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 23</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 24</i> <i>Appropriation</i> <i>Budget</i>	<i>FY25</i> <i>Appropriation</i> <i>Budget</i>	<i>FY26</i> <i>Appropriation</i> <i>Budget</i>
<b>Public Safety</b>					
Police Department					
Police Salaries/Wages	1,369,268	1,410,346	1,438,553	1,467,324	1,496,671
General Expenses	151,564	154,595	157,687	160,841	164,058
Capital Outlay	65,875	50,000	50,000	50,000	50,000
Public Safety - Debt Service	0	0	0	0	0
<i>Total Police Department</i>	<i>1,586,707</i>	<i>1,614,941</i>	<i>1,646,240</i>	<i>1,678,165</i>	<i>1,710,728</i>
Fire Department					
Fire Salaries/Wages	1,023,785	1,054,499	1,075,589	1,097,100	1,119,042
General Expenses	177,300	180,846	184,463	188,152	191,915
Capital Outlay	25,000	25,000	30,000	30,000	30,000
<i>Total Fire Department</i>	<i>1,226,085</i>	<i>1,260,345</i>	<i>1,290,051</i>	<i>1,315,252</i>	<i>1,340,958</i>
<i>Total Public Safety</i>	<i>2,812,792</i>	<i>2,875,286</i>	<i>2,936,292</i>	<i>2,993,417</i>	<i>3,051,686</i>
<b>Inspectional Services Department</b>					
Part Time Assistant for Inspectors	18,165	18,528	18,899	19,277	19,662
Health Inspector	0	0	0	0	0
Building Inspection					
Salaries/Wages	11,751	11,986	12,226	12,470	12,720
Assistant	5,735	5,850	5,967	6,086	6,208
Certification Training	960	960	960	960	960
General Expenses	7,000	7,140	7,283	7,428	7,577
Plumbing/Gas Inspection					
Salaries/Wages	4,329	4,416	4,504	4,594	4,686
Assistant	2,235	2,280	2,325	2,372	2,419
Certification Training	500	500	500	500	500
General Expenses	950	969	988	1,008	1,028
Wiring Inspection					
Salaries/Wages	4,329	4,416	4,504	4,594	4,686
Assistant	2,235	2,280	2,325	2,372	2,419
Certification Training	500	500	500	500	500
General Expenses	950	969	988	1,008	1,028
Civil Defense					
Salaries/Wages	9,372	9,559	9,751	9,946	10,145
General Expenses	6,376	6,504	6,634	6,766	6,902
Animal Control					
Salary	10,183	10,387	10,594	10,806	11,022
General Expenses	2,415	2,463	2,513	2,563	2,614
Training	1,575	1,607	1,639	1,671	1,705
Parking Clerk					
Salaries	6,750	6,885	7,023	7,163	7,306
General Expenses	14,240	14,525	14,815	15,112	15,414
Harbormaster					
Salaries/Wages	1,484	1,514	1,544	1,575	1,606
Assistant	1,907	1,945	1,984	2,024	2,064
General Expenses	7,280	7,426	7,574	7,726	7,880
Capital Outlay	0	0	0	0	0
Wharfinger					
Salaries/Wages	1,484	1,514	1,544	1,575	1,606
Assistant	498	508	518	528	539
General Expenses	1,752	1,787	1,823	1,859	1,896
Capital Outlay	8,000	1,500	1,500	1,500	1,500
Ocean Rescue					
Training Wages	0	0	0	0	0
Professional Services	0	0	0	0	0
<i>Total Other Pub. Saf.</i>	<i>132,955</i>	<i>128,915</i>	<i>131,424</i>	<i>133,983</i>	<i>136,594</i>
<b>Total Public Safety</b>	<b>2,945,747</b>	<b>3,004,201</b>	<b>3,067,716</b>	<b>3,127,401</b>	<b>3,188,280</b>

<i>Town of Nahant</i>		<i>FY 22</i>	<i>FY 23</i>	<i>FY 24</i>	<i>FY25</i>	<i>FY26</i>
<b>PROJECTED APPROPRIATIONS</b>		<b>Appropriation</b>	<b>Appropriation</b>	<b>Appropriation</b>	<b>Appropriation</b>	<b>Appropriation</b>
		<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>
<b>Education System</b>						
School Department						
Tuition - SPED		446,574	453,273	460,072	466,973	473,977
Tuition - Swampscott		1,567,938	1,583,957	1,623,556	1,664,145	1,705,749
Johnson School Budget		1,824,282	1,878,340	1,910,254	1,942,641	1,975,508
	<i>School Appropriation</i>	<i>3,838,794</i>	<i>3,915,570</i>	<i>3,993,881</i>	<i>4,073,759</i>	<i>4,155,234</i>
Transportation/Regular		167,508	170,858	174,275	177,761	181,316
Transportation/SPED		51,440	52,469	53,518	54,589	55,680
	<i>Total Transportation</i>	<i>218,948</i>	<i>223,327</i>	<i>227,793</i>	<i>232,349</i>	<i>236,996</i>
School - Debt Service		353,600	341,600	329,600	317,600	295,800
School - Proposed Debt		0	0	0	0	0
Essex North Shore Agri & Tech		188,428	192,197	196,040	199,961	203,961
<b>Total Education System</b>		<b>4,599,770</b>	<b>4,672,693</b>	<b>4,747,315</b>	<b>4,823,670</b>	<b>4,891,991</b>

<i>Town of Nahant</i> <b>PROJECTED APPROPRIATIONS</b>	<i>FY 22</i> <b>Appropriation Budget</b>	<i>FY 23</i> <b>Appropriation Budget</b>	<i>FY 24</i> <b>Appropriation Budget</b>	<i>FY25</i> <b>Appropriation Budget</b>	<i>FY26</i> <b>Appropriation Budget</b>
<b>Public Works Department</b>					
Public Works Operations					
Administration					
Salaries/Wages	7,379	7,600	7,752	7,907	8,066
General Expenses	23,160	23,623	24,096	24,578	25,069
Capital	12,500	12,500	12,500	12,500	12,500
<i>Subtotal DPW Administration</i>	<i>43,039</i>	<i>43,724</i>	<i>44,348</i>	<i>44,985</i>	<i>45,635</i>
Highways/Streets/Parks/Beaches					
Salaries/Wages	114,075	117,497	119,847	122,244	124,689
General Expenses	169,187	172,571	176,022	179,543	183,133
Capital - Paving	24,000	24,000	24,000	24,000	24,000
<i>Subtotal Highways/Streets/B/P</i>	<i>307,262</i>	<i>314,068</i>	<i>319,869</i>	<i>325,787</i>	<i>331,822</i>
Snow & Ice					
Snow & Ice Services	30,000	30,000	30,000	30,000	30,000
Beaches & Parks					
Salaries/Wages	67,163	69,178	70,561	71,973	73,412
General Expenses	22,786	23,242	23,707	24,181	24,664
Capital Outlay	0	0	0	0	0
<i>Subtotal Beaches &amp; Parks</i>	<i>89,949</i>	<i>92,420</i>	<i>94,268</i>	<i>96,153</i>	<i>98,076</i>
Cemetery					
Salaries/Wages	35,235	36,292	37,018	37,758	38,513
General Expenses	10,050	10,251	10,456	10,665	10,878
Capital Outlay	1,000	1,000	1,000	1,000	1,000
<i>Subtotal Cemetery</i>	<i>46,285</i>	<i>47,543</i>	<i>48,474</i>	<i>49,423</i>	<i>50,392</i>
Overhead Operations					
General Expenses	0	0	0	0	0
Capital Outlay	0	20,000	20,000	20,000	20,000
DPW - Debt Service	80,619	57,890	52,677	37,175	20,125
<i>Subtotal DPW Overhead</i>	<i>80,619</i>	<i>77,890</i>	<i>72,677</i>	<i>57,175</i>	<i>40,125</i>
<b>Total Public Works Dept</b>	<b>597,154</b>	<b>605,644</b>	<b>609,636</b>	<b>603,523</b>	<b>596,050</b>

<i>Town of Nahant</i> <b>PROJECTED APPROPRIATIONS</b>	<i>FY 22</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 23</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 24</i> <i>Appropriation</i> <i>Budget</i>	<i>FY25</i> <i>Appropriation</i> <i>Budget</i>	<i>FY26</i> <i>Appropriation</i> <i>Budget</i>
<b>Culture/Recreation</b>					
Council on Aging					
Salaries/Wages	42,652	43,505	44,375	45,263	46,168
General Expenses	15,950	16,269	16,594	16,926	17,265
Capital Outlay	0	0	0	0	0
Veteran's Agent					
Salaries/Wages	8,405	8,573	8,745	8,919	9,098
General Expenses	38,575	39,347	40,133	40,936	41,755
Library					
Salaries/Wages	171,689	175,123	178,625	182,198	185,842
General Expenses	70,734	70,734	70,734	70,734	70,734
Capital	0	0	0	0	0
Recreation					
General Recreation	3,152	3,090	3,090	3,090	3,090
Sailing Recreation	5,650	5,650	5,650	5,650	5,650
Tennis Recreation	2,880	2,880	2,880	2,880	2,880
Memorial Day Committee					
General Expenses	7,500	7,650	7,803	7,959	8,118
Fourth of July Committee					
General Expenses	2,300	2,346	2,393	2,441	2,490
Beautification Committee					
General Expenses	2,150	2,193	2,237	2,282	2,327
Personnel Committee					
General Expenses	0	0	0	0	0
Military Houses					
General Expenses	86,320	88,046	89,807	91,603	93,436
<b>Total Culture/Recreation</b>	<b>457,957</b>	<b>465,406</b>	<b>473,067</b>	<b>480,881</b>	<b>488,852</b>
<b>General Debt Service</b>					
Debt Service	381,641	341,924	309,254	285,077	225,389
<b>Total Debt Service</b>	<b>381,641</b>	<b>341,924</b>	<b>309,254</b>	<b>285,077</b>	<b>225,389</b>
<b>Total Operation Cost</b>	<b>10,511,984</b>	<b>10,650,178</b>	<b>10,798,189</b>	<b>10,943,261</b>	<b>11,045,410</b>



<i>Town of Nahant</i> <b>PROJECTED APPROPRIATIONS</b>	<i>FY 22</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 23</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 24</i> <i>Appropriation</i> <i>Budget</i>	<i>FY25</i> <i>Appropriation</i> <i>Budget</i>	<i>FY26</i> <i>Appropriation</i> <i>Budget</i>
<b>Intergovernmental</b>					
Cherry Sheet					
State Assessments	112,429	114,678	116,971	119,311	121,697
Charter School Assessments	136,574	139,305	142,092	144,933	147,832
County Assessments	10,436	10,645	10,858	11,075	11,296
School Choice Assessment	0	0	0	0	0
<i>Total Intergovernmental</i>	<i>259,439</i>	<i>264,628</i>	<i>269,920</i>	<i>275,319</i>	<i>280,825</i>
<b>Other Expenses</b>					
Unemployment Compensation	25,000	25,500	26,010	26,530	27,061
Life Insurance	2,000	2,040	2,081	2,122	2,165
Health Insurance	975,000	994,500	1,014,390	1,034,678	1,055,371
Medicare Taxes					
Expenses	89,760	91,555	93,386	95,254	97,159
Essex County Retirement					
Expenses	965,000	984,300	1,003,986	1,024,066	1,044,547
Insurance Committee					
General Expenses	303,528	309,599	315,791	322,106	328,548
Retirement Buyback Account					
General Expenses	50,000	50,000	50,000	50,000	50,000
<i>Total Miscellaneous</i>	<i>2,410,288</i>	<i>2,457,494</i>	<i>2,505,644</i>	<i>2,554,757</i>	<i>2,604,852</i>
<b>Total Before Reserve Fund &amp; Article</b>	<b>13,181,711</b>	<b>13,372,299</b>	<b>13,573,753</b>	<b>13,773,336</b>	<b>13,931,087</b>
Reserve Funds					
Base Appropriation	250,000	250,000	250,000	250,000	250,000
<i>Total Reserve Fund</i>	<i>250,000</i>	<i>250,000</i>	<i>250,000</i>	<i>250,000</i>	<i>250,000</i>
<b>Total General Funds</b>	<b>13,431,711</b>	<b>13,622,299</b>	<b>13,823,753</b>	<b>14,023,336</b>	<b>14,181,087</b>
<b>Interfund Transfers-Out OPEB</b>	<b>25,000</b>	<b>25,000</b>	<b>25,000</b>	<b>25,000</b>	<b>25,000</b>
<b>Interfund Transfers-Out Stabilization</b>	<b>125,000</b>	<b>125,000</b>	<b>125,000</b>	<b>125,000</b>	<b>125,000</b>
<b>Interfund Transfers-Out FEMA</b>					
<b>Interfund Transfers-Out W/S</b>	<b>793,807</b>	<b>1,198,851</b>	<b>1,099,806</b>	<b>1,064,919</b>	<b>1,031,971</b>
<b>Subtotal Appropriations</b>	<b>14,375,518</b>	<b>14,971,150</b>	<b>15,073,559</b>	<b>15,238,255</b>	<b>15,363,058</b>
<b>Debt</b>	<b>815,860</b>	<b>741,414</b>	<b>691,531</b>	<b>639,852</b>	<b>541,314</b>
<b>Debt as % of Budget</b>	<b>5.68%</b>	<b>4.95%</b>	<b>4.59%</b>	<b>4.20%</b>	<b>3.52%</b>

**Town of Nahant  
PROJECTED APPROPRIATIONS**

	<b>FY 22 Appropriation Budget</b>	<b>FY 23 Appropriation Budget</b>	<b>FY 24 Appropriation Budget</b>	<b>FY25 Appropriation Budget</b>	<b>FY26 Appropriation Budget</b>
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**PROJECTED CAPITAL  
IMPROVEMENTS**

**Drainage/Walls/Erosion**

Drainage-Ward Rd/Bear Pond	0	0	0	0	0
Lowlands Drainage	100,000		20,000		20,000
<i>Sub Total</i>	<i>100,000</i>	<i>0</i>	<i>20,000</i>	<i>0</i>	<i>20,000</i>

**Vehicles/Equipment**

F550 Pick Up Truck		75,000		75,000	75,000
Cemetery Tractor		62,000			
DPW Equipment	20,000	20,000	20,000	50,000	50,000
Skid Steer Loader			36,000		
Tractor Mower		30,000			
Gator			18,000		
F450 Dump Truck			75,000		
Police Explorer	50,000	50,000		50,000	50,000
Police Tahoe			45,000		
Police Motorcycle			21,500		
Police Radar Speed Trailer			5,500		
Police Monitor Trailer				24,500	
Police ATV		15,500			
Police Radio Upgrade	190,000		50,000		50,000
Police Portable Radios		15,500			
Police Cruiser Laptop Toughbooks		16,000			
Fire Hydraulic Extrication Tools		20,000	20,000	20,000	10,000
Firefighter PPE Turn out Gear	10,000	5,000	5,000	5,000	5,000
Fire Dispatch Capital	2,500	2,500	2,500	2,500	2,500
Fire Hose	5,000	5,000	5,000	5,000	5,000
Fire Radios	7,500	5,000	5,000	5,000	5,000
<i>Sub Total</i>	<i>285,000</i>	<i>321,500</i>	<i>308,500</i>	<i>237,000</i>	<i>252,500</i>

**Misc**

Wetlands Zoning Bylaw		25,000			
Computers/Network	20,000	22,050	22,050	22,050	22,050
Spring Road Basketball Court	12,000				
Little Nahant Playground	24,000				
Nahant Little League - Backstop, fencing	32,375				
Nahant American Legion - painting, floors	4,000				
Town Basketball and Tennis Courts	120,000				
Nahant Rd Softball Field	27,000				
DPW Overhead-Small Equipment	5,000	20,000	20,000	20,000	10,000
Cemetery & Chapel Upgrades	2,500	10,000	10,000	10,000	10,000
Bailey's Hill, Fort Ruckman, East Slope	41,000				
Dory Club Gangway and Floating docks	17,000				
East Point/Canoe Beach Preserve	1,500,000				
<i>Sub Total</i>	<i>1,804,875</i>	<i>77,050</i>	<i>52,050</i>	<i>52,050</i>	<i>42,050</i>

**Roads and Sidewalks**

All Roads Chapter 90	92,000	92,000	92,000	92,000	92,000
Non-Chapter 90	130,000	130,000	130,000	130,000	130,000
<i>Sub Total</i>	<i>222,000</i>	<i>222,000</i>	<i>222,000</i>	<i>222,000</i>	<i>222,000</i>

<i>Town of Nahant</i> <b>PROJECTED APPROPRIATIONS</b>	<b>FY 22</b> <i>Appropriation</i> <b>Budget</b>	<b>FY 23</b> <i>Appropriation</i> <b>Budget</b>	<b>FY 24</b> <i>Appropriation</i> <b>Budget</b>	<b>FY25</b> <i>Appropriation</i> <b>Budget</b>	<b>FY26</b> <i>Appropriation</i> <b>Budget</b>
<b>Town Hall Capital</b>					
Town Hall Various Repairs	10,000	10,000	10,000	10,000	10,000
Town Treasurer Copier	1,400	1,400	1,400	1,400	1,400
Town Clerk Copier	1,400	1,400	1,400	1,400	1,400
Town Administrator Copier	2,900	2,900	2,900	2,900	2,900
Municipal Finance Software	350,000	20,000	20,000	20,000	20,000
<i>Sub Total</i>	<i>365,700</i>	<i>35,700</i>	<i>35,700</i>	<i>35,700</i>	<i>35,700</i>
<b>Public Safety</b>					
New Fire Truck		700,000			
Feasibility Study - new building		500,000			
Fire Station Design					
Police Station		3,500	3,500	3,500	3,500
Police Bulletproof vests	5,675			5,675	
Police defibs	10,000			10,000	
<i>Sub Total</i>	<i>15,675</i>	<i>1,203,500</i>	<i>3,500</i>	<i>19,175</i>	<i>3,500</i>
<b>Other Town Buildings</b>					
Ellingwood Chapel	50,000		7,000	7,000	
DPW Facilities Various	15,000	2,000	2,000	2,000	2,000
Town Wharf	8,000	45,750	22,450	34,750	34,750
Town Hall ADA Improvements	165,000				
Library and Town Hall exterior; Cemetery archway	500,000				
Spring Road Envelope preservation	45,000				
NHA Building Envelope - Spring & Greystone Rds	155,000				
<i>Sub Total</i>	<i>938,000</i>	<i>47,750</i>	<i>31,450</i>	<i>43,750</i>	<i>36,750</i>
<b>Total Capital Improvement</b>	<b>3,731,250</b>	<b>1,907,500</b>	<b>673,200</b>	<b>609,675</b>	<b>612,500</b>
<b>Less: Free Cash</b>	(252,075)	(200,000)	(100,000)	(100,000)	(100,000)
<b>Less: CPA Revenue</b>	(452,780)	(150,000)	(150,000)	(150,000)	(150,000)
<b>Less: CPA Reserves</b>	(239,595)				
<b>Less: CPA Borrowing</b>	(2,000,000)				
<b>Less: Borrowing</b>	(640,000)	(1,200,000)	(250,000)	(250,000)	(250,000)
<b>Less: Chapter 90</b>	(92,000)	(92,000)	(92,000)	(92,000)	(92,000)
<b>Subtotal Capital Improvement</b>	<b>54,800</b>	<b>265,500</b>	<b>81,200</b>	<b>17,675</b>	<b>20,500</b>
<b>Total 5 Year Plan</b>	<b>14,275,943</b>	<b>15,065,650</b>	<b>15,057,059</b>	<b>15,050,255</b>	<b>15,193,558</b>

Town of Nahant

PROJECTED APPROPRIATIONS

	<i>FY 22</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 23</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 24</i> <i>Appropriation</i> <i>Budget</i>	<i>FY25</i> <i>Appropriation</i> <i>Budget</i>	<i>FY26</i> <i>Appropriation</i> <i>Budget</i>
<b>Water/Sewer Enterprise Fund</b>					
Reserves	40,350	41,379	42,220	43,076	43,951
Sewer Division					
Salaries/Wages	224,101	230,824	235,441	240,149	244,952
General Expenses	209,589	213,781	218,056	222,418	226,866
Lynn Water & Sewer	526,400	542,192	558,458	575,211	592,468
Capital Outlay	0	45,000	45,000	45,000	45,000
Sewer - Debt Service	604,504	1,085,696	1,013,848	979,592	947,273
Indirect Costs	115,190	117,493	119,843	122,240	124,685
<i>Subtotal Sewer</i>	<i>1,679,784</i>	<i>2,234,986</i>	<i>2,190,646</i>	<i>2,184,610</i>	<i>2,181,244</i>
Water Division					
Salaries/Wages	199,002	204,972	209,072	213,253	217,518
General Expenses	91,475	93,305	95,171	97,074	99,015
MWRA Assessment	539,122	549,904	560,903	572,121	583,563
Capital Outlay	30,000	45,000	45,000	45,000	45,000
Water - Debt Service	189,303	113,156	85,958	85,327	84,697
Indirect Costs	115,190	117,493	119,843	122,240	124,685
<i>Subtotal Water</i>	<i>1,164,092</i>	<i>1,123,830</i>	<i>1,115,947</i>	<i>1,135,015</i>	<i>1,154,478</i>
<i>Total Water and Sewer</i>	<i>2,884,225</i>	<i>3,400,195</i>	<i>3,348,813</i>	<i>3,362,701</i>	<i>3,379,673</i>
<b>W/S Debt</b>	<b>793,807</b>	<b>1,198,851</b>	<b>1,099,806</b>	<b>1,064,919</b>	<b>1,031,971</b>
<b>W/S Debt as % of W/S Budget</b>	<b>27.52%</b>	<b>35.26%</b>	<b>32.84%</b>	<b>31.67%</b>	<b>30.53%</b>
<b>W/S Without Debt</b>	<b>2,090,418</b>	<b>2,201,345</b>	<b>2,249,007</b>	<b>2,297,782</b>	<b>2,347,702</b>

PROJECTED CAPITAL  
W/S IMPROVEMENTS

	<i>FY 22</i>	<i>FY 23</i>	<i>FY 24</i>	<i>FY 25</i>	<i>FY 25</i>
<b>Water</b>					
Gate Valves	15,000	15,000	15,000	15,000	15,000
Hydrants/Mains	200,000	134,000	134,000	134,000	134,000
Paving/Patch Work	15,000				
W/S Utility Truck	32,000				
Pick Up Truck			37,500	37,500	
Emergency Repairs & Inventory	15,000	45,000	45,000	45,000	45,000
John Deere Backhoe	48,000				
<i>Sub Total</i>	<i>325,000</i>	<i>194,000</i>	<i>231,500</i>	<i>231,500</i>	<i>194,000</i>
<b>Sewer</b>					
Sewer Infrastructure & Pump Stations	50,000	50,000	50,000	50,000	50,000
Professional Services	12,500	12,500	12,500	12,500	12,500
W/S Pumps & Equipment & Paving	15,000	60,000	60,000	60,000	60,000
W/S Utility Truck	32,000				
Pick Up Truck			37,500	37,500	
Emergency Repairs & Inventory	15,000	45,000	45,000	45,000	45,000
<i>Sub Total</i>	<i>124,500</i>	<i>167,500</i>	<i>205,000</i>	<i>205,000</i>	<i>167,500</i>
<b>Total W/S Capital Improvement</b>	<b>449,500</b>	<b>361,500</b>	<b>436,500</b>	<b>436,500</b>	<b>361,500</b>
<b>Less: Retained earnings</b>	(142,000)	(100,000)	(100,000)	(100,000)	(90,000)
<b>Less: Borrowing</b>	(200,000)	(171,500)	(246,500)	(246,500)	(181,500)
<b>Subtotal W/S Capital</b>	<b>107,500</b>	<b>90,000</b>	<b>90,000</b>	<b>90,000</b>	<b>90,000</b>
<b>Total Water/Sewer 5 Year Plan</b>	<b>2,961,725</b>	<b>3,400,195</b>	<b>3,348,813</b>	<b>3,362,701</b>	<b>3,379,673</b>

Town of Nahant

**PROJECTED APPROPRIATIONS**

	<i>FY 22</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 23</i> <i>Appropriation</i> <i>Budget</i>	<i>FY 24</i> <i>Appropriation</i> <i>Budget</i>	<i>FY25</i> <i>Appropriation</i> <i>Budget</i>	<i>FY26</i> <i>Appropriation</i> <i>Budget</i>
<b>Rubbish Enterprise Fund</b>					
Salaries/Wages	60,577	62,394	63,642	64,915	66,213
General Expenses	61,550	62,781	64,037	65,317	66,624
Household Trash Collection/Disposal	445,000	453,900	462,978	472,238	481,682
Debt	0	0	0	0	0
<b>Total Rubbish Enterprise Fund</b>	<b>567,127</b>	<b>579,075</b>	<b>590,657</b>	<b>602,470</b>	<b>614,519</b>
<b>Rubbish Debt</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Rub. Debt as % of Rub. Budget</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>
<b>All Debt</b>	<b>1,609,667</b>	<b>1,940,264</b>	<b>1,791,337</b>	<b>1,704,771</b>	<b>1,573,285</b>
<b>All Debt as % of All Budget</b>	<b>9.03%</b>	<b>10.24%</b>	<b>9.42%</b>	<b>8.88%</b>	<b>8.13%</b>

**PROJECTED CAPITAL**

**RUBBISH IMPROVEMENTS**

	<i>FY 22</i>	<i>FY 23</i>	<i>FY 24</i>	<i>FY 25</i>	<i>FY 25</i>
<b>Rubbish</b>					
Compost Site	50,000	10,000	10,000	10,000	10,000
Recycling Bins	75,000				
<i>Sub Total</i>	<i>125,000</i>	<i>10,000</i>	<i>10,000</i>	<i>10,000</i>	<i>10,000</i>
<b>Total Rubbish Capital Improvement</b>	<b>125,000</b>	<b>10,000</b>	<b>10,000</b>	<b>10,000</b>	<b>10,000</b>
<b>Less: Retained earnings</b>	<b>(125,000)</b>	<b>(10,000)</b>	<b>(10,000)</b>	<b>(10,000)</b>	<b>(10,000)</b>
<b>Less: Borrowing</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Subtotal Rubbish Capital</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Rubbish 5 Year Plan</b>	<b>567,127</b>	<b>579,075</b>	<b>590,657</b>	<b>602,470</b>	<b>614,519</b>

*Town of Nahant*  
**PROJECTED REVENUES**

	<i>FY 22</i> <i>Revenue</i> <i>Budget</i>	<i>FY 23</i> <i>Revenue</i> <i>Budget</i>	<i>FY 24</i> <i>Revenue</i> <i>Budget</i>	<i>FY 25</i> <i>Revenue</i> <i>Budget</i>	<i>FY 26</i> <i>Revenue</i> <i>Budget</i>
<b>General Funds</b>					
Personal Property Taxes	286,170	293,324	300,657	308,174	315,878
Personal Property Tax Refunds	0	0	0	0	0
Real Estate Taxes	9,672,632	9,929,824	10,193,444	10,463,655	10,740,621
Real Estate Tax Refunds	0	0	0	0	0
School Override	353,600	341,600	329,600	317,600	295,800
General Override	0	0	0	0	0
W/S Debt Shift	793,807	1,198,851	1,099,806	1,064,919	1,031,971
New Growth	15,000	15,000	15,000	15,000	15,000
Levy Limit	11,121,209	11,778,599	11,938,507	12,169,348	12,399,270
Overlay Reserve	(180,000)	(184,500)	(189,113)	(193,840)	(198,686)
<b>Property Revenue</b>	<b>10,941,209</b>	<b>11,594,099</b>	<b>11,749,395</b>	<b>11,975,508</b>	<b>12,200,584</b>
Motor Vehicle Excises	610,990	623,210	635,674	648,387	661,355
Motor Vehicle Excise Refund	(10,109)	(10,311)	(10,517)	(10,728)	(10,942)
Boat Excise Taxes	6,129	6,251	6,376	6,504	6,634
Boat Excise Refund	(57)	(58)	(59)	(61)	(62)
Interest on Taxes/Excises	27,362	27,909	28,467	29,036	29,617
Penalty - Demand Payments	3,503	3,573	3,644	3,717	3,791
Payment In Lieu of Taxes	1,590	1,622	1,654	1,687	1,721
Meals Tax Revenue	18,484	18,853	19,230	19,615	20,007
Ambulance Fees	158,002	161,162	164,385	167,673	171,026
Other Charges For Services	3,274	3,339	3,406	3,474	3,544
Fees	40,570	41,382	42,209	43,054	43,915
Cemetery Fees	8,670	8,843	9,020	9,201	9,385
Rentals	183,080	186,741	190,476	194,286	198,171
Military Housing Rentals	195,698	199,612	203,604	207,676	211,830



*Town of Nahant*  
**PROJECTED REVENUES**

	<i>FY 22</i> <i>Revenue</i> <i>Budget</i>	<i>FY 23</i> <i>Revenue</i> <i>Budget</i>	<i>FY 24</i> <i>Revenue</i> <i>Budget</i>	<i>FY 25</i> <i>Revenue</i> <i>Budget</i>	<i>FY 26</i> <i>Revenue</i> <i>Budget</i>
Alcoholic Beverage Licenses	8,874	9,051	9,233	9,417	9,606
Other Licenses	12,409	12,657	12,910	13,168	13,431
Permits	98,754	100,729	102,743	104,798	106,894
Beach Stickers	12,600	12,852	13,109	13,371	13,638
State Education Dist/Reimb					
Chapter 70	531,403	531,403	539,374	550,162	561,165
Charter Tuition Reimbursement	18,094	18,094	18,365	18,733	19,107
Unrestricted Aid	415,264	415,264	421,493	429,923	438,521
Veteran's Benefits	14,172	14,172	14,385	14,672	14,966
Exemptions Veteran's & Elderly	23,679	23,679	24,034	24,515	25,005
State Owned Land	1,277	1,277	1,296	1,322	1,349
Medicaid Reimburse	0	0	0	0	0
State Other Revenues	0	0	0	0	0
Fines & Forfeits	44,732	45,627	46,539	47,470	48,420
Sale of Inventory	0	0	0	0	0
Earnings on Investments	10,907	11,125	11,348	11,575	11,806
Other Misc Revenue	0	0	0	0	0
Interfund Transfer-In (Enterprise)	230,379	234,987	239,686	244,480	249,370
<b>Total Revenues</b>	<b>13,610,936</b>	<b>14,297,143</b>	<b>14,501,479</b>	<b>14,782,634</b>	<b>15,063,853</b>
<b>W/S Enterprise Fund</b>					
Water Usage Charges	992,029	1,028,266	1,047,937	1,068,002	1,088,468
Sewer Usage Charges	1,098,596	1,173,078	1,201,068	1,229,780	1,259,234
Water Meters	500	500	500	500	500
Earnings on Investments	100	100	100	100	100
Transfers-In for Debt Shift	793,807	1,198,851	1,099,806	1,064,919	1,031,971
<b>Total W/S Enterprise Fund</b>	<b>2,885,032</b>	<b>3,400,795</b>	<b>3,349,411</b>	<b>3,363,301</b>	<b>3,380,273</b>
<b>Rubbish Enterprise Fund</b>					
Rubbish/Recycling Fees	566,927	578,875	590,457	602,270	614,319
Earnings on Investments	200	200	200	200	200
<b>Total Rubbish Enterprise Fund</b>	<b>567,127</b>	<b>579,075</b>	<b>590,657</b>	<b>602,470</b>	<b>614,519</b>

FY23-26 Tax revenue based on 2.5% increases

FY23-26 Est local receipts based on 2% increase from prior year

FY23 est state support equal to FY22; FY24 based on a 1.5% increase over FY23; FY25-26 based on 2% increase

**Water & Sewer Rate Comparison:**

	FY 22 est	FY 23	FY 24	FY 25	FY 26
Water rate	9.92	10.13	10.32	10.52	10.72
Sewer rate	<u>14.08</u>	<u>14.66</u>	<u>15.01</u>	<u>15.37</u>	<u>15.74</u>
<b>Combined rate</b>	<b><u>24.00</u></b>	<b><u>24.79</u></b>	<b><u>25.34</u></b>	<b><u>25.89</u></b>	<b><u>26.46</u></b>
% Increase/(Decrease)	12.38%	3.29%	2.19%	2.20%	2.20%

**FIVE YEAR PROJECTED WATER/SEWER  
FY22**

<b>Sewer Rates</b>	<i>FY19 act</i>	<i>FY20 act</i>	<i>FY21 bud</i>	<i>FY22 est</i>	<i>FY23</i>	<i>FY24</i>	<i>FY25</i>	<i>FY26</i>
<b>Direct Costs:</b>								
Lynn Water & Sewer Charges	297,580	310,792	376,000	526,400	542,192	558,458	575,211	592,468
Town's Debt Service								
Principal	0	0	0	0	0	0	0	0
Interest	0	0	0	0	0	0	0	0
Proposed	0	0	0	0	0	0	0	0
<i>Subtotal Debt</i>	0	0	0	0	0	0	0	0
Capital Program	31,305	23,868	51,000	0	45,000	45,000	45,000	45,000
<b>Meters</b>	0	0	0	0	0	0	0	0
Public Works								
Labor	184,234	201,923	216,159	224,101	230,824	235,441	240,149	244,952
Expense	142,567	175,240	154,752	209,589	213,781	218,056	222,418	226,866
<b>Less: Usage of Available Funds</b>								
Less: Interest Revenue	-300	-300	-300	-300	-300	-300	-300	-300
<b>Subtotal Direct Cost</b>	<b>655,387</b>	<b>711,523</b>	<b>797,611</b>	<b>959,790</b>	<b>1,031,497</b>	<b>1,056,655</b>	<b>1,082,478</b>	<b>1,108,986</b>
<b>Indirect Costs:</b>								
Administrative/Clerical								
Allowance for Uncollectible	23,652	23,153	23,153	23,616	24,088	24,370	25,062	25,563
Less: Sewer Rate Relief Fund	0	0	0	0	0	0	0	0
Allowance for Uncollectible	23,652	23,153	23,153	23,616	24,088	24,370	25,062	25,563
Clerical Wages (12.5%)	13,435	13,435	13,838	14,115	14,397	14,685	14,979	15,279
Acct./Billing (5%)	9,016	9,016	9,287	9,473	9,662	9,855	10,052	10,253
Benefits	67,749	68,307	70,356	71,764	73,199	74,663	76,156	77,679
Audit	2,213	2,213	2,280	2,326	2,373	2,420	2,468	2,518
Insurance (Property)	16,693	16,693	17,169	17,513	17,863	18,220	18,584	18,956
<b>Subtotal Indirect Cost</b>	<b>132,758</b>	<b>132,817</b>	<b>136,083</b>	<b>138,806</b>	<b>141,582</b>	<b>144,413</b>	<b>147,302</b>	<b>150,248</b>
<b>Total Cost for Sewer</b>	<b>788,144</b>	<b>844,340</b>	<b>933,694</b>	<b>1,098,596</b>	<b>1,173,078</b>	<b>1,201,068</b>	<b>1,229,780</b>	<b>1,259,234</b>
<b>Estimated Usage</b>	<b>8.79</b>	<b>7.68</b>	<b>7.79</b>	<b>7.80</b>	<b>8.00</b>	<b>8.00</b>	<b>8.00</b>	<b>8.00</b>
<b>(millions/cubic ft.)</b>								
<b>Projected Rate/100 cu.ft.</b>	<b>8.97</b>	<b>10.99</b>	<b>11.99</b>	<b>14.08</b>	<b>14.66</b>	<b>15.01</b>	<b>15.37</b>	<b>15.74</b>
<b>Total Billing Commitment</b>	<b>740,431</b>	<b>902,266</b>	<b>942,084</b>	<b>1,098,596</b>	<b>1,173,078</b>	<b>1,201,068</b>	<b>1,229,780</b>	<b>1,259,234</b>
<b>FY22 Water</b>	<b>132,730</b>	<b>138,806</b>	<b>138,806</b>	<b>138,806</b>	<b>138,806</b>	<b>138,806</b>	<b>138,806</b>	<b>138,806</b>
<b>Less Uncollectible</b>	<b>-17,541</b>	<b>-23,616</b>	<b>-41,157</b>	<b>-41,157</b>	<b>-41,157</b>	<b>-41,157</b>	<b>-41,157</b>	<b>-41,157</b>
<b>Voted Indirect Costs</b>	<b>115,190</b>	<b>115,190</b>	<b>115,190</b>	<b>115,190</b>	<b>115,190</b>	<b>115,190</b>	<b>115,190</b>	<b>115,190</b>
<b>Debt Shift</b>	<b>189,303</b>	<b>604,504</b>	<b>604,504</b>	<b>604,504</b>	<b>604,504</b>	<b>604,504</b>	<b>604,504</b>	<b>604,504</b>

**FIVE YEAR PROJECTED WATER/SEWER  
FY'22**

<b>Water Rates</b>	<i>FY19 act</i>	<i>FY20 act</i>	<i>FY21 bud</i>	<i>FY22 est</i>	<i>FY23</i>	<i>FY24</i>	<i>FY25</i>	<i>FY26</i>
<b>Direct Costs:</b>								
MWRA Water Assessment	496,315	457,190	515,906	539,122	549,904	560,903	572,121	583,563
Town's Debt Service								
Principal	0	0	0	0	0	0	0	0
Interest	0	0	0	0	0	0	0	0
Proposed	0	0	0	0	0	0	0	0
<i>Subtotal Debt</i>	0	0	0	0	0	0	0	0
Capital Program	0	30,000	0	30,000	45,000	45,000	45,000	45,000
Capital Encumbered	0	0	0	0	0	0	0	0
Meters	0	0	0	0	0	0	0	0
Public Works								
Labor	156,871	178,202	196,186	199,002	204,972	209,072	213,253	217,518
Expense	73,622	107,907	88,333	91,475	93,305	95,171	97,074	99,015
	0	0	0	0	0	0	0	0
<b>Less: Usage of Available Funds</b>								
<b>Less: Interest Revenue</b>	-300	-300	-300	-300	-300	-300	-300	-300
<b>Subtotal Direct Cost</b>	<b>726,508</b>	<b>772,999</b>	<b>800,125</b>	<b>859,299</b>	<b>892,881</b>	<b>909,845</b>	<b>927,148</b>	<b>944,796</b>
<b>Indirect Costs:</b>								
Administrative/Clerical								
Allowance for Uncollectible	16,695	17,197	17,197	17,541	17,892	18,250	18,615	18,987
Clerical Wages (12.5%)	13,435	13,435	13,838	14,115	14,397	14,685	14,979	15,279
Acct./Billing (5%)	9,016	9,016	9,287	9,473	9,662	9,855	10,052	10,253
Benefits	67,749	68,307	70,356	71,764	73,199	74,663	76,156	77,679
Audit	2,213	2,213	2,280	2,326	2,373	2,420	2,468	2,518
Insurance (Property)	16,693	16,693	17,169	17,513	17,863	18,220	18,584	18,956
<b>Subtotal Indirect Cost</b>	<b>125,801</b>	<b>126,861</b>	<b>130,127</b>	<b>132,730</b>	<b>135,385</b>	<b>138,093</b>	<b>140,855</b>	<b>143,672</b>
<b>Total Cost for Water</b>	<b>852,309</b>	<b>899,860</b>	<b>930,252</b>	<b>992,029</b>	<b>1,028,266</b>	<b>1,047,937</b>	<b>1,068,002</b>	<b>1,088,468</b>
<b>Estimated Usage</b>	<b>9.62</b>	<b>9.76</b>	<b>9.93</b>	<b>10.00</b>	<b>10.15</b>	<b>10.15</b>	<b>10.15</b>	<b>10.15</b>
<b>(millions/cubic ft.)</b>								
<b>Projected Rate/100 cu.ft.</b>	<b>8.86</b>	<b>9.22</b>	<b>9.37</b>	<b>9.92</b>	<b>10.13</b>	<b>10.32</b>	<b>10.52</b>	<b>10.72</b>
<b>Total Billing Commitment</b>	<b>1,052,408</b>	<b>954,917</b>	<b>930,252</b>	<b>992,029</b>	<b>1,028,266</b>	<b>1,047,937</b>	<b>1,068,002</b>	<b>1,088,468</b>
<b>Water &amp; Sewer Rate Comparison:</b>								
<b>FY 19 act</b>	<b>FY 20 act</b>	<b>FY 21 act</b>	<b>FY 22 est</b>	<b>FY 23</b>	<b>FY 24</b>	<b>FY 25</b>	<b>FY 26</b>	
8.86	9.22	9.37	9.92	10.13	10.32	10.52	10.72	
8.96	10.99	11.99	14.08	14.66	15.01	15.37	15.74	
<b>17.81</b>	<b>20.22</b>	<b>21.36</b>	<b>24.00</b>	<b>24.79</b>	<b>25.34</b>	<b>25.89</b>	<b>26.46</b>	
9.87%	13.53%	5.64%	12.38%	3.29%	2.19%	2.20%	2.20%	
1 CF= 7.48 Gallons								

## **APPENDIX 3**

### **School Department Proposed Budget**

In the following section you'll find the proposed line item budget prepared by the School Superintendent and the School Committee. The line item budget is followed by a more detailed presentation of what is included in each line item.

By law, Town Meeting will adopt a bottom line budget for the School Department, and the School Committee will determine the line item allocations within the actual budget. A previous Town Meeting vote requires that the School Department's line item budget be published in the Report and Recommendations of the Advisory and Finance Committee.

**\*Information Presented on the Following Pages is Provided by the School Department**

Town of Nahant  
FY22 Budget Worksheet

SC approved 2/9/21

	2020 Department Budget	2020 Actual Expenses	2021 Department Budget	2022 Department Request
<b>School</b>				
<u><b>School Committee</b></u>				
Purchase of Services	0.00	0.00	0.00	0.00
Capital Program Consultant	0.00	0.00	0.00	0.00
Auditing Services	3,000.00	4,200.00	4,000.00	4,000.00
Legal	2,500.00	4,381.50	2,500.00	2,500.00
General Supplies & Materials	3,500.00	0.00	3,500.00	3,850.00
Dues/Memberships	0.00	3,760.00	0.00	0.00
<b>SUBTOTAL</b>	<b>9,000.00</b>	<b>12,341.50</b>	<b>10,000.00</b>	<b>10,350.00</b>
<u><b>Superintendent's Office</b></u>				
Salaries Regular Full Time	106,982.00	110,201.78	109,982.00	111,800.00
Longevity	950.00	1,000.00	950.00	950.00
Purchased Services	500.00	1,788.54	500.00	500.00
Supplies	2,000.00	805.02	2,000.00	2,000.00
Dues/Memberships	0.00	0.00	0.00	0.00
<b>SUBTOTAL</b>	<b>110,432.00</b>	<b>113,795.34</b>	<b>113,432.00</b>	<b>115,250.00</b>
<u><b>Principal's Office</b></u>				
Salaries Regular Full Time	156,763.00	158,198.10	161,263.00	169,326.00
Longevity	750.00	800.00	750.00	750.00
Attendance Officer	180.00	180.00	180.00	180.00
Scheduler Stipend	0.00	0.00	0.00	0.00
Supplies	1,500.00	1,121.28	1,500.00	1,500.00
<b>SUBTOTAL</b>	<b>159,193.00</b>	<b>160,299.38</b>	<b>163,693.00</b>	<b>171,756.00</b>
<u><b>School Health Services</b></u>				
Salaries Regular Full Time	73,340.00	73,340.00	75,174.00	77,053.00
Purchase of Services	300.00	102.00	300.00	300.00
Purchase of Supplies	1,000.00	1,109.80	1,000.00	1,000.00
<b>SUBTOTAL</b>	<b>74,640.00</b>	<b>74,551.80</b>	<b>76,474.00</b>	<b>78,353.00</b>
<u><b>Teaching &amp; Materials</b></u>				
Salary Professional Development	0.00	0.00	0.00	0.00
Regular Full Time Employees	605,096.00	633,410.29	630,226.00	635,990.00
Substitutes	10,000.00	12,882.50	11,000.00	12,000.00
S.P.E.D. Teacher Salaries	88,959.00	91,374.32	91,184.00	66,232.00
S.P.E.D. Aids	70,804.00	94,637.96	72,580.00	94,556.00
S.P.E.D. Admin	0.00	3,325.00	0.00	0.00
Aids Salaries	23,579.00	0.00	24,179.00	19,900.00
Longevity	12,625.00	14,250.00	10,500.00	10,500.00
Technology Specialist	13,320.00	12,281.21	14,620.00	15,351.00
Foreign Language	0.00	0.00	0.00	0.00
Stipends-Asst Principal	0.00	0.00	0.00	0.00
Technology Services	12,500.00	4,440.60	12,500.00	12,500.00
S.P.E.D. Contract Services	0.00	0.00	0.00	0.00
Foreign Language Services	0.00	0.00	0.00	0.00
Purchase of Supplies	16,000.00	14,540.05	14,000.00	14,000.00
Software	6,400.00	9,150.94	5,400.00	5,400.00
Hardware	10,000.00	4,201.77	10,000.00	10,000.00
S.P.E.D. Supplies	8,000.00	609.99	5,000.00	6,000.00
Professional Development	12,000.00	2,224.79	9,000.00	10,000.00
<b>SUBTOTAL</b>	<b>889,283.00</b>	<b>897,329.42</b>	<b>910,189.00</b>	<b>912,429.00</b>
<u><b>School Textbooks</b></u>				
Regular Education Books	13,000.00	7,347.83	10,000.00	10,000.00
Special Education Books	1,000.00	0.00	1,000.00	1,000.00
<b>SUBTOTAL</b>	<b>14,000.00</b>	<b>7,347.83</b>	<b>11,000.00</b>	<b>11,000.00</b>
<u><b>School Library</b></u>				
Library Salaries	4,807.00	5,260.48	4,957.00	4,957.00
Library Supplies	4,000.00	295.56	4,000.00	4,000.00
<b>SUBTOTAL</b>	<b>8,807.00</b>	<b>5,556.04</b>	<b>8,957.00</b>	<b>8,957.00</b>



Town of Nahant  
 FY22 Budget Worksheet

SC approved 2/9/21

	2020 Department Budget	2020 Actual Expenses	2021 Department Budget	2022 Department Request
<b>School</b>				
<u><b>School Audio/Visual</b></u>				
Purchase of Supplies	0.00	0.00	0.00	0.00
<b>SUBTOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<u><b>School Athletics</b></u>				
Purchase of Services	0.00	0.00	0.00	0.00
<b>SUBTOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<u><b>School Student Body</b></u>				
Salaries Stipends	3,558.00	4,018.88	4,558.00	4,786.00
Purchase of Services	3,000.00	0.00	2,000.00	2,000.00
Supplies	0.00	0.00	0.00	0.00
<b>SUBTOTAL</b>	<b>6,558.00</b>	<b>4,018.88</b>	<b>6,558.00</b>	<b>6,786.00</b>
<u><b>School Guidance</b></u>				
Salaries	38031.00	38031.00	40457.00	42480.00
Services	0.00	0.00	0.00	0.00
Supplies	0.00	0.00	0.00	0.00
<b>SUBTOTAL</b>	<b>38,031.00</b>	<b>38,031.00</b>	<b>40,457.00</b>	<b>42,480.00</b>
<u><b>School Psych/SPED</b></u>				
Salaries - Psychologist	0.00	0.00	0.00	0.00
Salaries - Speech	53,864.00	38,025.00	67,128.00	70,485.00
Occupational Therapist Salary	22,800.00	19,453.50	23,400.00	26,300.00
Contracted Services-SPED	58,875.00	46,796.50	61,875.00	61,875.00
Contracted Services-Speech	0.00	0.00	0.00	0.00
Hearings	0.00	0.00	0.00	0.00
Tutoring	3,500.00	0.00	3,500.00	3,500.00
Evaluations	5,600.00	1,500.00	7,850.00	8,600.00
<b>SUBTOTAL</b>	<b>144,639.00</b>	<b>105,775.00</b>	<b>163,753.00</b>	<b>170,760.00</b>
<u><b>School Custodial Department</b></u>				
Regular Full Time Employees	91,895.00	90,109.64	93,895.00	96,711.00
Longevity	1,440.00	855.00	900.00	900.00
O/T F/T Employees	0.00	0.00	0.00	0.00
Purchase of Services	0.00	0.00	0.00	0.00
Purchase of Supplies	6,000.00	5,842.02	5,000.00	30,500.00
<b>SUBTOTAL</b>	<b>99,335.00</b>	<b>96,806.66</b>	<b>99,795.00</b>	<b>128,111.00</b>
<b>School</b>				
<u><b>School Heating</b></u>				
Heating Gas	50,600.00	43,562.29	50,600.00	50,600.00
<b>SUBTOTAL</b>	<b>50,600.00</b>	<b>43,562.29</b>	<b>50,600.00</b>	<b>50,600.00</b>
<u><b>School Utilities</b></u>				
Electrical Services	40,500.00	45,428.40	41,500.00	43,250.00
Natural Gas	0.00	0.00	0.00	0.00
Telephone Services	9,700.00	10,870.69	10,700.00	10,700.00
<b>SUBTOTAL</b>	<b>50,200.00</b>	<b>56,299.09</b>	<b>52,200.00</b>	<b>53,950.00</b>

Town of Nahant  
FY22 Budget Worksheet

SC approved 2/9/21

	2020 Department Budget	2020 Actual Expenses	2021 Department Budget	2022 Department Request
<b>School</b>				
<u><b>School Grounds Maintenance</b></u>				
Purchase of Services	2,000.00	593.37	1,000.00	1,000.00
<b>SUBTOTAL</b>	<b>2,000.00</b>	<b>593.37</b>	<b>1,000.00</b>	<b>1,000.00</b>
<u><b>School Bldg Maintenance</b></u>				
Purchased Services	32,500.00	51,747.72	32,500.00	32,500.00
Supplies	15,500.00	9,267.13	12,000.00	12,000.00
<b>SUBTOTAL</b>	<b>48,000.00</b>	<b>61,014.85</b>	<b>44,500.00</b>	<b>44,500.00</b>
<u><b>School Equip Maintenance</b></u>				
Oper Equip-Rprs/Main	10,000.00	11,875.99	10,000.00	11,000.00
<b>SUBTOTAL</b>	<b>10,000.00</b>	<b>11,875.99</b>	<b>10,000.00</b>	<b>11,000.00</b>
<u><b>School Rental/Lease</b></u>				
Rent/ Lease Equipment	8,000.00	6,065.47	7,000.00	7,000.00
<b>SUBTOTAL</b>	<b>8,000.00</b>	<b>6,065.47</b>	<b>7,000.00</b>	<b>7,000.00</b>
<u><b>Tuition-Jr/Sr High School</b></u>				
Public Schools	1,449,647.00	1,449,647.00	1,507,633.00	1,567,938.00
<b>SUBTOTAL</b>	<b>1,449,647.00</b>	<b>1,449,647.00</b>	<b>1,507,633.00</b>	<b>1,567,938.00</b>
<u><b>Tuition S.P.E.D.</b></u>				
Tuition-Private Schools	382,935.00	318,838.72	436,574.00	436,574.00
Tuition-Collaborative	10,000.00	10,000.00	10,000.00	10,000.00
<b>SUB TOTAL</b>	<b>392,935.00</b>	<b>328,838.72</b>	<b>446,574.00</b>	<b>446,574.00</b>
<b>TOTAL SCHOOL (NSS)</b>	<b>3,565,300.00</b>	<b>3,473,749.63</b>	<b>3,723,815.00</b>	<b>3,838,794.00</b>
<u><b>Transportation Jr/Sr High</b></u>				
S.P.E.D. Transportation	84,579.00	26,605.50	64,579.00	51,440.00
Public Schools	152,280.00	121,372.83	152,280.00	167,508.00
<b>SUB TOTAL</b>	<b>236,859.00</b>	<b>147,978.33</b>	<b>216,859.00</b>	<b>218,948.00</b>
<u><b>Vocational School Assessment</b></u>				
Essex North Shore Agi & Tech	174,299.00	152,507.00	188,428.00	188,428.00
Essex Agricultural	0.00	0.00	0.00	0.00
<b>SUB TOTAL Non NSS</b>	<b>411,158.00</b>	<b>300,485.33</b>	<b>405,287.00</b>	<b>407,376.00</b>
<b>Capital Outlay-Various</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL SCHOOL</b>	<b>3,976,458.00</b>	<b>3,774,234.96</b>	<b>4,129,102.00</b>	<b>4,246,170.00</b>

**APPENDIX 4**

**School Department Five Year Plan**

**\*Information Presented on the Following Pages is Provided by the School Department**

	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Tuition-Swampscott	\$1,567,938	\$1,607,136	\$1,647,315	\$1,688,498	\$1,730,710
Tuition-Special Education (Private & Collaborative)	\$446,574	\$457,738	\$469,181	\$480,911	\$492,934
Transportation-Swampscott	\$167,508	\$171,696	\$175,988	\$180,388	\$184,898
Transportation-Special Education	\$51,440	\$52,726	\$54,044	\$55,395	\$56,780
Johnson School	\$1,698,503	\$1,740,966	\$1,784,490	\$1,829,102	\$1,874,830
Other School & District Costs	\$314,201	\$322,056	\$330,107	\$338,360	\$346,819
<b>Total</b>	<b>\$4,246,164</b>	<b>\$4,352,318</b>	<b>\$4,461,126</b>	<b>\$4,572,654</b>	<b>\$4,686,971</b>

## **APPENDIX 5**

### **School Share of Town Expenses**

In Massachusetts, each town and city must expend a certain amount of money on its education system each year. This amount is referred to as “net school spending” and is established via a formula determined by the Massachusetts Department of Elementary and Secondary Education. A community’s net school spending must equal or exceed the requirement established annually by the Department of Education. The net school spending amount is largely comprised of the school budget (excluding transportation, debt, and vocational school expenses), the net charter school assessment, any circuit breaker funds expected to be expensed during the fiscal year, as well as certain town expenditures.

The information that follows in this Appendix 5 outlines expenditures made by the Town of Nahant on behalf of the school that aren’t included within the school budget. These are assigned to the school budget from non-school municipal line items such as the Town Accountant or Town treasurer's Offices. This “charge back” system is intended to represent the percentage of time those departments spend on school matters such as accounting or payroll, etc. Each year there is an estimated cost for these items when the budget is developed and at the end of the fiscal year actual costs for these line items are reflected in the School Department End of Year Report that is conveyed to the Massachusetts Department of Education.

This information is presented here to give the voters a more complete picture of the Town resources that are provided to the School.

**Schedule 1**  
**FY 20 School Portion of**  
**Town's Expenses**

**ADMINISTRATIVE EXPENSES**

**Actual FY20**

**Town Expenses**

	<i>Town Expense</i>	<i>Allocated Town Costs</i>	<i>Town Costs Schedule 1</i>	<i>Basis for Allocation</i>
<b><u>Town Administrator</u></b>				
salary	219,857	6,596		3.00%
benefits/health	18,380	551		3.00%
expenses	9,398	282		3.00%
other/benefits	70,462	2,114		3.00%
			<b>9,543</b>	
<b><u>Town Accountant</u></b>				
salary	113,312	32,860		29.00%
benefits/health	6,884	1,996		29.00%
expenses	9,147	2,653		29.00%
other/benefits	36,084	10,464		29.00%
			<b>47,974</b>	
<b><u>Accountant/Clerical</u></b>				
salaries	55,936	16,221		29.00%
benefits/health	26	7		29.00%
expenses	47,224	13,695		29.00%
other/benefits	18,011	5,223		29.00%
			<b>35,147</b>	
<b><u>Treasurer/Collector</u></b>				
salaries	124,302	31,075		25.00%
benefits/health	25,277	6,319		25.00%
expenses	45,092	11,273		25.00%
other/benefits	39,235	9,809		25.00%
			<b>58,476</b>	
<b><u>Unemployment</u></b>				
expenses	0	0	0	actual
<b><u>Data Processing</u></b>				
salaries	32,920	10,972		33.33%
benefits/health	0	0		33.33%
expenses	168,447	56,144		33.33%
other/benefits	636	212		33.33%
			<b>67,328</b>	
<b><u>Town Audit</u></b>				
expenses	28,500	9,499	<b>9,499</b>	33.33%
<b><u>Crossing Guard</u></b>				
salaries	5,900	5,900	<b>5,900</b>	100.00%
<b>Eligible Salaries</b>	552,227	103,625		
<b>Eligible Benefits</b>	214,995	36,697		
<b>Eligible Expenses</b>	307,808	93,545		
<b>TOTAL</b>	<b>1,075,030</b>	<b>233,867</b>	<b>233,867</b>	



**Schedule 1**  
**FY 20 School Portion of**  
**Town's Expenses**

**ANALYSIS: TOWN COSTS/SCHEDULE 1**

**Actual FY20**

<b>Town Expenses</b>	<i>Town Expense</i>	<i>Allocated Town Costs</i>	<i>Basis for Allocation</i>	<i>Town Costs Schedule 1</i>
<b>Administrative</b>				
payrolls	552,227	103,625	<i>see</i>	103,625
benefits	214,995	36,697	<i>attached</i>	36,697
supplies/expenses	307,808	93,545	<i>schedule</i>	93,545
	<u>1,075,030</u>	<u>233,867</u>		<u>233,867</u>
<b>Public Works</b>				
payroll	649,721	32,486	5.00%	32,486
benefits/health	71,208	3,560	5.00%	3,560
other/benefits	138,028	6,901	5.00%	6,901
supplies/expenses	517,401	25,870	5.00%	25,870
utilities	2,291,178	22,912	1.00%	22,912
	<u>3,667,535</u>	<u>91,730</u>		<u>91,730</u>
	21.24%			
<b>Employee Benefits</b>				
non-teaching retire	881,441	86,744	Actual	86,744
health & life	761,138	158,340	Actual	158,340
taxes/FICA	78,169	21,269	Actual	21,269
	<u>1,720,748</u>	<u>266,353</u>		<u>266,353</u>
		\$75,762.05	Retiree not included	
<b>Transportation</b>				
MBTA assessment	78,938	0		0
<b>Community Services</b>				
police & fire	2,517,369	0		0
recreation	9,575	0		0
	<u>2,526,944</u>	<u>0</u>		<u>0</u>
<b>Insurance</b>				
workmen's comp	27,625	8,341	Actual	8,341
property/equipment	209,814	21,928	Actual	21,928
school liability	1,232	1,232	Actual	1,232
school accident	3,524	3,524	Actual	3,524
principal's bond	0	0	Actual	0
	<u>242,195</u>	<u>35,025</u>		<u>35,025</u>
<b>Regional Schools</b>				
Essex Northshore Agi & Tech	152,507	0		0
	0	0		0
<b>School Assessments</b>				
Special Education	7,135			
Charter School Assessment	105,413			
Assessment School Choice	10,267			
	0			
Reimbursement	(64,472)	58,343		<u>58,343</u>
<b>Total Town Costs</b>		<b>685,318</b>		<b>685,318</b>
Including Essex Northshore Agi & Tech Assessments				152,507
Principal School Borrowings (Long-Term)				300,000
Interest School Borrowings (Long-Term)				77,600
Principal School Borrowings (Short-Term)				3,000
Interest School Borrowings (Short-Term)				83
Fixed Assets				0
<b>Per Schedule 1</b>				<b>1,218,507</b>

**School Retirees Insurance**

**75,762**

## **APPENDIX 6**

### School Department Grant Report

Grant Sources and Uses – *Note that funding from grants is generally restricted to a particular use; i.e. money received through grants cannot be used for other purposes at the School's discretion.*

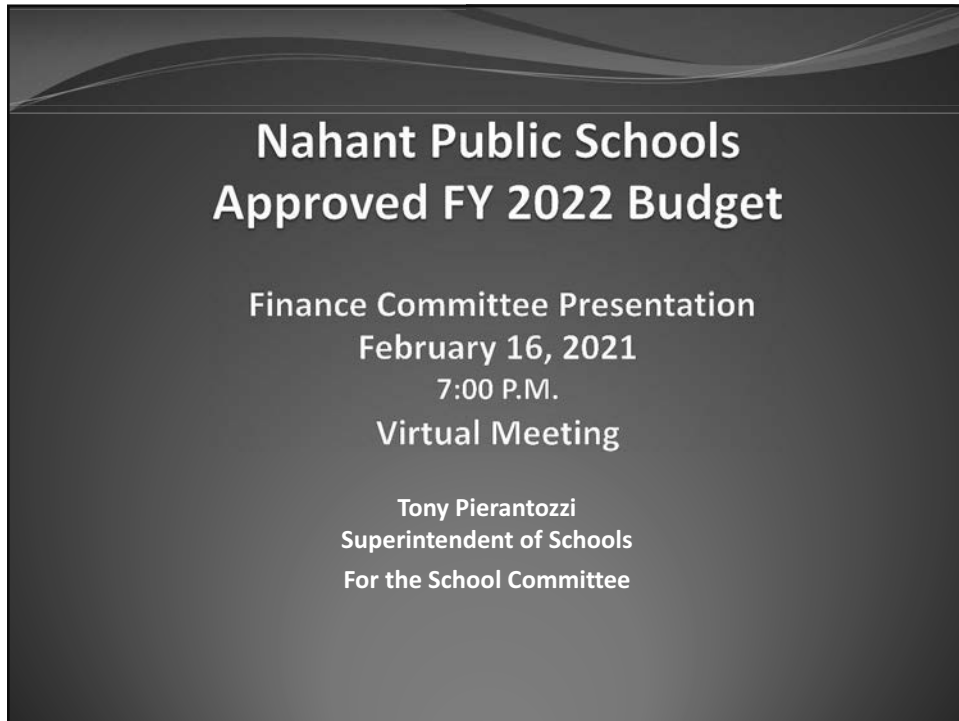
School Department  
Grant Funds  
FY 14-FY 21

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
<b>Sped Grant 94-142/IDEA</b>	\$71,252	\$71,228	\$71,815	\$69,882	\$68,648	\$70,031	\$71,110	\$73,599	\$73,599
Sped Director									
Sped Team Chairperson									
Admin. Asst.									
<b>Sped Program Improvement Grant</b>	\$1,500	\$1,996	\$3,000	\$3,000	\$0	\$0	\$0	\$6,063	\$0
Professional Development									
Teaching Supplies									
<b>Early Childhood Sped Program Improvement &amp; Safety Grant</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,226	\$0
<b>Kindergarten Grant</b>	\$11,600	\$8,760	\$8,760	\$0	\$0	\$0	\$0	\$0	\$0
Teaching Assistant Salaries									
<b>Title I Grant</b>	\$15,946	\$20,975	\$19,183	\$19,183	\$16,297	\$14,733	\$15,714	\$19,300	\$19,300
Teaching Assistant Salaries									
<b>Sped Early Childhood Grant</b>	\$3,411	\$3,406	\$3,404	\$3,404	\$3,399	\$3,430	\$3,458	\$3,476	\$3,476
Teacher Quality Grant									
Professional Development	\$2,519	\$2,540	\$2,479	\$2,479	\$4,188	\$3,503	\$3,607	\$4,023	\$4,023
<b>Circuit Breaker</b>	\$66,025	\$72,017	\$79,017	\$88,402	\$60,371	\$48,918	\$27,399	\$29,463	\$29,463
Special Education Tuition									
<b>Hardscrabble Grant</b>	\$4,608	\$4,608	\$1,396	\$0	\$0	\$0	\$0	\$0	\$0
Teaching Supplies									
<b>Law Enforcement &amp; Technology Grant</b>	\$0	\$0	\$0	\$0	\$0	\$19,825	\$0	\$0	\$0
School Security Camera System									
<b>Title IV</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	\$10,000	\$10,000
Student Support and Academic Enrichment									
<b>MA Safer Schools and Communities Initiative</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$4,795	\$0	\$0
Local Equipment & Technology Grant									
Additional School Security Cameras									
<b>Elementary &amp; Secondary Schools Emergency Relief Fund (ESSER) Part 1</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$20,000	\$0
Covid-19 related expenses									
<b>Elementary &amp; Secondary Schools Emergency Relief Fund (ESSER) Part 2</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$85,841
Covid-19 related expenses									
<b>Coronavirus Relief Fund School Reopening Grant (CRRF)</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$58,275	\$0
Covid-19 expenses related to reopening school									

**APPENDIX 6A**

**School Department Budget Presentation**

Presentation by the School Department to The Advisory and Finance Committee



**Nahant Public Schools**  
**Approved FY 2022 Budget**

Finance Committee Presentation  
February 16, 2021  
7:00 P.M.  
Virtual Meeting

Tony Pierantozzi  
Superintendent of Schools  
For the School Committee

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**Nahant School Committee**

- Lauren Sherlock, Chair
- Tom Tria, Vice Chair
- Regina Laine, Recording Secretary
- Mary West, Member
- Patricia Karras, Member

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**NPS Budget**

**Changes from FY 2020**

**Total**  
**+ \$117,068**

**District + \$62,652**  
**Johnson School + \$52,327**  
**Town + \$2,089**

**Factors**

- All Salary Increases
- One Kindergarten Section and two 1<sup>st</sup> Grade Sections due to Projected Enrollment
- Swampscott Tuition – Junior and Senior High School
- Supplies to Address Health & Safety – COVID-19
- Audit Cost
- Essex Northshore A & T
- Special Education – JES, Tuition, Transportation

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**District Changes from FY 2020**

Tuition – Jr/Sr High + \$60,305 (51.5% of total Increase)

District line items: + \$2,347

Total Change + \$ 62,652

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## Johnson School Changes from FY 2020

**Regular Full Time Employees**  
Add one 1st Grade Teacher / Reduce one Kindergarten Teacher  
due to projected enrollment  
Updated for Current and Budgeted Staff + \$11,295 Net

**Special Education Staffing** - Add One Paraprofessional + \$19,900  
(17% of total Increase)

**School (COVID-19) Custodial Supplies** + \$25,500  
(21.8% of total Increase)

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## Town Changes from FY 2020

Transportation + \$2,089 - Net  
Total Change: + \$2,089

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### 2021 -2022 Budget Overview - Comparisons

	FY 2021	FY22	Change	
Johnson School	1,646,176	1,698,503	+ 52,327	+ 3.9%
District	2077,639	2,140,291	+ 62,652	+ 3%
<b>SUBTOTAL Total School (NSS)</b>	<b>3,728,815</b>	<b>3,838,794</b>	<b>+ 114,978</b>	<b>+ 3%</b>
Town	405,287	389,247	+ 2,089	+ .5%
<b>TOTAL Education Cost</b>	<b>4,129,102</b> ADJ-	<b>4,246,170</b> Approved 02.09.21	<b>+ 117,170</b>	<b>+ 2.835%</b>

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### 2018 -2021 Budget Overview - Comparisons

	FY 2019 Voted	FY 2020	FY 2021	Change FY20 to FY21	FY2022	Change FY21 to FY 22
Johnson School	1,596,066	1,623,286	1,646,176	+ 22,890 +1.4%	1,698,503	+52,327 3.1%
District	1,871,807	1,942,014	2,077,639	+ 135,625 +6.98%	2,140,291	+62,652 3.0%
<b>SUBTOTAL Total School (NSS)</b>	<b>3,467,873</b>	<b>3,545,300</b>	<b>(3,723,815)</b>	<b>+182,820 +5.15%</b>	<b>3,838,794</b>	<b>+114,978 3%</b>
Town	436,579	389,590	387,158 (ADJ 405,287)	-2432 -.6%	389,247	+2,089 5%
<b>TOTAL Education Cost</b>	<b>\$3,845,153</b>	<b>\$3,954,890</b>	<b>\$4,110,973</b> (ADJ 4,129,102)	<b>134,515 +3.4%</b>	<b>4,246,170</b>	<b>+2.835%</b>

↑ 10.4% Increase – 4 years ↑

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## **APPENDIX 7**

### **Debt Service Schedule**

This schedule was prepared by the Town Accountant at the request of the Finance Committee. We believe this information is useful to the Townspeople and helpful in planning. The Town Administrator, the Selectmen, and the Finance Committee have set debt reduction as a long-term goal.

**DEBT SERVICE INCLUDING ESTIMATED  
AUTHORIZED DEBT**

Description	Reference	Borrowings	Issue Date	Interest Rate	Terms Years	Maturity Date	Proj Balance 6/30/2021	FY22		FY23		FY24	
								Principal	Interest	Principal	Interest	Principal	Interest
Sewer Project (Nov. 1982)	#23-80	\$1,300,000	11/15/1982	5.00%	40	11/15/2022	\$65,000	\$32,500.00	\$32,500.00	\$812.50	\$0.00	\$0.00	
Sewer Project - Phase II	#8-81	\$200,100	6/28/1985	5.00%	40	11/15/2025	\$23,700	\$7,400.00	\$7,400.00	\$1,850.00	\$7,400.00	\$445.00	
Sewer Project - Phase III	#8-81	\$376,800	2/7/1986	5.00%	40	2/7/2026	\$4,100	\$9,410.00	\$9,410.00	\$1,882.00	\$9,410.00	\$1,411.50	
Sewer Emergency BANS	FY18 MPQB	\$1,000,000	6/30/2017	7.53%	10		\$634,953	\$110,000.00	\$110,000.00	\$12,000.00	\$110,000.00	\$10,000.00	
Sewer Phase I	#23-19	\$218,500	8/26/2018	6.00%	10		\$199,572	\$21,850.00	\$21,850.00	\$2,210.00	\$21,850.00	\$3,899.00	
Sewer Phase 2	#23-19	\$1,542,000	8/26/2018	6.00%	20		\$1,419,594	\$77,100.00	\$77,100.00	\$7,170.00	\$77,100.00	\$67,077.00	
Sewer Phase 3	#23-19	\$2,330,000	8/26/2018	6.00%	20		\$2,146,345	\$116,500.00	\$116,500.00	\$108,345.00	\$116,500.00	\$101,355.00	
W/S Truck F450 5.0%	#22-19	\$32,500	8/26/2018	6.00%	5		\$19,375	\$6,500.00	\$6,500.00	\$195.00	\$6,500.00	\$0.00	
Silverado Truck 2.5%	#22-19	\$10,500	8/26/2018	6.00%	5		\$9,688	\$2,100.00	\$2,100.00	\$273.00	\$2,100.00	\$0.00	
Sewer	FY21	\$4,600,000	8/26/2020	6.00%	20		\$4,600,000	\$0.00	\$230,000.00	\$269,100.00	\$0.00	\$255,300.00	
Interest & Principal							\$604,504.00	\$0.00	\$0.00	\$1,085,695.50	\$0.00	\$1,013,747.50	
<b>Total Sewer Projects</b>		<b>\$11,700,000</b>					<b>\$9,165,268</b>	<b>\$383,500.00</b>	<b>\$613,500.00</b>	<b>\$472,335.50</b>	<b>\$572,260.00</b>	<b>\$441,487.50</b>	
MWRA Pipeline Asst Loan 0% Interest	#9-11	\$134,000	5/26/2011	0.00%	10	2/15/2021	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Water Meters MWRA	#16-12	\$750,000	8/26/2011	0.00%	10	2/15/2021	\$75,000	\$75,000.00	\$0.00	\$0.00	\$0.00	\$0.00	
Water Mains Hydrants MWRA	#12-14	\$175,000	8/26/2013	0.00%	10	2/15/2023	\$35,000	\$17,500.00	\$17,500.00	\$0.00	\$0.00	\$0.00	
MWRA Pipeline Asst Loan 0% Interest	#26-16+20-17	\$258,100	8/15/2016	0.00%	10	8/15/2026	\$154,860	\$25,810.00	\$0.00	\$0.00	\$25,810.00	\$0.00	
MWRA Pipeline Asst Loan 0% Interest	#11-18	\$134,000	5/18/2020	0.00%	10	2/15/2030	\$120,600	\$13,400.00	\$0.00	\$0.00	\$13,400.00	\$0.00	
MWRA Pipeline Asst Loan 0% Interest	#8-19	\$134,000	5/18/2020	0.00%	10	2/15/2030	\$120,600	\$13,400.00	\$0.00	\$0.00	\$13,400.00	\$0.00	
MWRA Pipeline Asst Loan 0% Interest	#22-20	\$50,000	5/18/2020	0.00%	10	2/15/2030	\$45,000	\$5,000.00	\$0.00	\$0.00	\$5,000.00	\$0.00	
Hydrants/Water Mains	#24-19	\$105,100	8/26/2018	6.00%	10		\$93,100	\$10,510.00	\$10,510.00	\$3,468.00	\$10,510.00	\$2,838.00	
Silverado Truck 5.0%	#22-19	\$32,500	8/26/2018	6.00%	5		\$19,375	\$6,500.00	\$6,500.00	\$195.00	\$6,500.00	\$0.00	
Silverado Truck 2.5%	#22-19	\$10,500	8/26/2018	6.00%	5		\$9,688	\$2,100.00	\$2,100.00	\$273.00	\$2,100.00	\$0.00	
MWRA Pipeline Asst Loan 0% Interest	FY21	\$150,000	8/26/2020	0.00%	10		\$150,000	\$15,000.00	\$15,000.00	\$0.00	\$15,000.00	\$0.00	
MWRA Pipeline Asst Loan 0% Interest	FY22	\$200,000	8/26/2021	0.00%	10		\$200,000	\$0.00	\$20,000.00	\$0.00	\$20,000.00	\$0.00	
Interest & Principal							\$189,303.00	\$0.00	\$0.00	\$133,156.00	\$0.00	\$105,958.00	
<b>Total Water Projects</b>		<b>\$2,133,200</b>					<b>\$1,023,223</b>	<b>\$184,220.00</b>	<b>\$129,220.00</b>	<b>\$59,360.00</b>	<b>\$103,120.00</b>	<b>\$2,838.00</b>	
School Renovations	#2-06 STM&2-05 ATM	\$5,693,580	9/1/2006	4.00%	19	9/1/2025	\$1,490,000	\$300,000.00	\$300,000.00	\$41,600.00	\$300,000.00	\$29,600.00	
Interest & Principal							\$353,600.00	\$0.00	\$0.00	\$341,600.00	\$0.00	\$329,600.00	
<b>Total School Projects</b>		<b>\$5,693,580</b>					<b>\$1,490,000</b>	<b>\$300,000.00</b>	<b>\$300,000.00</b>	<b>\$41,600.00</b>	<b>\$300,000.00</b>	<b>\$29,600.00</b>	
DPW Truck	#24-16	\$213,334	8/26/2015	6.00%	10		\$68,834	\$3,360.00	\$16,000.00	\$3,400.00	\$14,334.00	\$1,930.00	
DPW Truck Silverado 50%	#22-19	\$10,500	8/26/2018	6.00%	5		\$19,375	\$3,990.00	\$3,990.00	\$273.00	\$3,990.00	\$1,500.00	
Drainage Ward Rd/Bear Pond	#32-19	\$175,000	8/26/2018	6.00%	10		\$130,000	\$6,825.00	\$17,500.00	\$5,775.00	\$17,500.00	\$4,725.00	
Kahoota Tractor	FY20	\$58,000	8/26/2019	6.00%	5		\$58,000	\$11,600.00	\$11,600.00	\$1,044.00	\$11,600.00	\$348.00	
Interest & Principal							\$64,858.00	\$0.00	\$0.00	\$57,890.00	\$0.00	\$52,677.00	
<b>Total Other DPW</b>		<b>\$456,834</b>					<b>\$271,209</b>	<b>\$52,534.00</b>	<b>\$48,398.00</b>	<b>\$9,492.00</b>	<b>\$45,534.00</b>	<b>\$7,143.00</b>	

**DEBT SERVICE INCLUDING ESTIMATED  
AUTHORIZED DEBT**

Description	Reference	Borrowings	Issue Date	Interest Rate	Terms Years	Maturity Date	Proj Balance 6/30/2021	FY22		FY23		FY24	
								Principal	Interest	Principal	Interest	Principal	Interest
Coast Guard Houses	#1-04-STM	\$2,100,000	1/11/2005	1.50%	10		\$1,866,000						
Paving	#21-16	\$250,000	8/26/2015	6.00%	10		\$160,000	\$25,000.00	\$25,000.00	\$25,000.00	\$49,000.00	\$25,000.00	\$50,000.00
Police Vehicle	#23-17	\$43,500	8/26/2016	6.00%	5		\$4,100	\$261.00					\$1,500.00
Roads and Sidewalks	#17-17	\$100,000	8/26/2016	6.00%	10		\$90,000	\$10,000.00	\$10,000.00	\$10,000.00	\$2,100.00	\$10,000.00	\$1,500.00
Ambulance	#24-17	\$205,000	8/26/2016	6.00%	7		\$56,000	\$41,000.00	\$308.00	\$13,000.00	\$103.00	\$0.00	\$0.00
Fire Radio Upgrade	#25-17	\$67,000	8/26/2016	6.00%	5		\$8,500	\$9,100.00	\$402.00				
Roads and Sidewalks	#19-18	\$80,000	8/26/2017	6.00%	10		\$72,000	\$8,000.00	\$8,000.00	\$8,000.00	\$2,160.00	\$8,000.00	\$1,680.00
Police Heating System	#25-18	\$46,000	8/26/2017	6.00%	5		\$14,500	\$9,200.00	\$6,600.00				
40 Steps Replacement	#32-18	\$138,700	8/26/2017	6.00%	5		\$75,700	\$27,740.00	\$27,740.00	\$27,740.00	\$3,497.00	\$23,480.00	\$832.00
Fire Temporary Structure	#21-19	\$75,000	8/26/2018	6.00%	5		\$50,000	\$15,000.00	\$15,000.00	\$15,000.00	\$1,350.00	\$15,000.00	\$900.00
Fire Truck (Town's Share)	#20-19	\$54,000	8/26/2018	6.00%	10		\$38,600	\$3,460.00	\$3,460.00	\$3,460.00	\$1,801.80	\$3,460.00	\$1,474.20
Paving	#15-19	\$80,000	8/26/2019	6.00%	10		\$80,000	\$8,000.00	\$8,000.00	\$8,000.00	\$3,600.00	\$8,000.00	\$2,640.00
FEMA Storm Damage	FY20	\$80,000	5/13/2020	6.00%	10		\$80,000	\$8,000.00	\$8,000.00	\$8,000.00	\$4,080.00	\$8,000.00	\$3,600.00
LED Streetlights	FY19	\$1,613,000	6/23/2020	6.00%	10		\$788,000						
Paving	FY21	\$70,000	8/26/2020	6.00%	10		\$70,000	\$5,700.00	\$10,000.00	\$10,000.00	\$5,100.00	\$10,000.00	\$4,500.00
Municipal Finance Software	FY21	\$100,000	8/26/2020	6.00%	10		\$100,000	\$10,000.00	\$10,000.00	\$10,000.00	\$18,900.00	\$70,000.00	\$14,700.00
Police 2-way radios	FY22	\$350,000	8/26/2021	6.00%	5		\$350,000	\$0.00	\$0.00	\$0.00	\$10,200.00	\$38,000.00	\$7,980.00
Lowlands Drainage	FY22	\$190,000	8/26/2021	6.00%	5		\$190,000	\$0.00	\$0.00	\$0.00	\$38,000.00	\$38,000.00	\$3,700.00
Interest & Principal		\$100,000	8/26/2021	6.00%	10		\$100,000	\$0.00	\$0.00	\$0.00	\$3,700.00	\$10,000.00	\$5,700.00
<b>Total General Projects</b>		<b>\$5,742,800</b>					<b>\$4,193,400</b>	<b>\$181,300</b>	<b>\$254,800</b>	<b>\$254,800</b>	<b>\$108,248</b>	<b>\$230,940</b>	<b>\$96,406</b>
<b>Short Term Interest - RANS</b>								<b>\$40,000.00</b>	<b>\$40,000.00</b>	<b>\$40,000.00</b>	<b>\$40,000.00</b>	<b>\$40,000.00</b>	<b>\$40,000.00</b>
<b>TOTAL ALL</b>							<b>\$16,143,099</b>	<b>\$1,101,414</b>	<b>\$1,345,778</b>	<b>\$1,345,778</b>	<b>\$675,611</b>	<b>\$1,251,854</b>	<b>\$617,475</b>
<b>CPA Debt</b>													
CPA Library Renovations	#16C-019	\$400,000	8/26/2019	6.00%	10		\$400,000	\$40,000.00	\$40,000.00	\$40,000.00	\$13,600.00	\$40,000.00	\$12,000.00
CPA Town Buildings	#21E-521	\$500,000	8/26/2021	4.00%	10		\$500,000	\$50,000.00	\$50,000.00	\$50,000.00	\$20,000.00	\$50,000.00	\$16,000.00
CPA East Point	#21F-521	\$1,500,000	8/26/2021	4.00%	30		\$1,500,000	\$15,000.00	\$15,000.00	\$15,000.00	\$60,000.00	\$15,000.00	\$36,000.00
<b>Interest &amp; Principal</b>													
<b>Total CPA Debt</b>							<b>\$2,400,000</b>	<b>\$40,000.00</b>	<b>\$40,000.00</b>	<b>\$40,000.00</b>	<b>\$152,000.00</b>	<b>\$140,000.00</b>	<b>\$228,000.00</b>
<i>Issued as short-term BANS; principal and interest payments in above schedule reflect if debt was issued long-term</i>													

**DEBT SERVICE INCLUDING ESTIMATED  
AUTHORIZED DEBT**

Description	Reference	Borrowings	Issue Date	Interest Rate	Terms Years	FY25		FY26		FY Thereafter	
						Principal	Interest	Principal	Interest	Principal	Interest
Sewer Project (Nov. 1982)	#23-80	\$1,300,000	1/1/15/1982	5.00%	40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Project - Phase II	#8-81	\$290,100	6/28/1985	5.00%	40	\$1,500,000	\$75,000	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Project - Phase III	#8-81	\$376,400	2/7/1986	5.00%	40	\$9,410,000	\$941,000	\$9,410,000	\$470,500	\$0.00	\$0.00
Sewer Emergency BAKS	FY18 MFDDB	\$1,000,000	6/30/2017	7.5%	10	\$1,000,000	\$8,000,000	\$1,000,000	\$6,000,000	\$1,000,000	\$4,000,000
Sewer Phase 1	#23-19	\$218,500	8/26/2018	6.00%	10	\$21,850,000	\$3,900,000	\$21,850,000	\$3,278,000	\$43,700,000	\$2,622,000
Sewer Phase 2	#23-19	\$1,542,000	8/26/2018	6.00%	20	\$77,100,000	\$62,451,000	\$77,100,000	\$57,825,000	\$923,200,000	\$333,072,000
Sewer Phase 3	#23-19	\$2,330,000	8/26/2018	6.00%	20	\$116,500,000	\$94,365,000	\$116,500,000	\$87,375,000	\$1,398,000,000	\$503,280,000
W/S Truck F450 50%	#22-19	\$32,500	8/26/2018	6.00%	5	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Silverado Truck 25%	#22-19	\$10,500	8/26/2018	6.00%	5	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sewer	FY21	\$4,600,000	8/26/2020	6.00%	20	\$23,000,000	\$241,500,000	\$23,000,000	\$227,700,000	\$3,450,000,000	\$1,766,400,000
Interest & Principal						\$566,360,000	\$979,592,000	\$564,860,000	\$947,508,500	\$5,926,900,000	\$8,536,374,000
<b>Total Sewer Projects</b>		<b>\$11,700,000</b>				<b>\$1,084,919,000</b>	<b>\$1,052,205,500</b>	<b>\$664,860,000</b>	<b>\$1,052,205,500</b>	<b>\$5,926,900,000</b>	<b>\$2,609,374,000</b>
MWRA Pipeline Asst Loan 0% Interest	#9-11	\$134,000	5/26/2011	0.00%	10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water Meters MWRA	#16-12	\$750,000	8/26/2011	0.00%	10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water Mains/Hydrants MWRA	#12-14	\$175,000	8/26/2013	0.00%	10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
MWRA Pipeline Asst Loan 0% Interest	#26-16+20-17	\$258,100	8/15/2016	0.00%	10	\$25,810,000	\$0.00	\$25,810,000	\$0.00	\$25,810,000	\$0.00
MWRA Pipeline Asst Loan 0% Interest	#11-18	\$134,000	5/18/2020	0.00%	10	\$13,400,000	\$0.00	\$13,400,000	\$0.00	\$53,600,000	\$0.00
MWRA Pipeline Asst Loan 0% Interest	#8-19	\$134,000	5/18/2020	0.00%	10	\$13,400,000	\$0.00	\$13,400,000	\$0.00	\$53,600,000	\$0.00
MWRA Pipeline Asst Loan 0% Interest	#22-20	\$50,000	5/18/2020	0.00%	10	\$5,000,000	\$0.00	\$5,000,000	\$0.00	\$20,000,000	\$0.00
Hydrants/Water Mains	#24-19	\$105,100	8/26/2018	6.00%	10	\$10,510,000	\$2,207,000	\$10,510,000	\$1,577,000	\$31,530,000	\$1,260,000
W/S Truck F450 50%	#22-19	\$32,500	8/26/2018	6.00%	5	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Silverado Truck 25%	#22-19	\$10,500	8/26/2018	6.00%	5	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
MWRA Pipeline Asst Loan 0% Interest	FY21	\$150,000	8/26/2020	0.00%	10	\$15,000,000	\$0.00	\$15,000,000	\$0.00	\$75,000,000	\$0.00
MWRA Pipeline Asst Loan 0% Interest	FY22	\$200,000	8/26/2021	0.00%	10	\$20,000,000	\$0.00	\$20,000,000	\$0.00	\$120,000,000	\$0.00
Interest & Principal						\$105,327,000	\$104,697,000	\$103,120,000	\$115,777,000	\$379,540,000	\$380,800,000
<b>Total Water Projects</b>		<b>\$2,133,200</b>				<b>\$2,207,000</b>	<b>\$1,157,700</b>	<b>\$1,120,000</b>	<b>\$1,157,700</b>	<b>\$379,540,000</b>	<b>\$1,260,000</b>
School Renovations	#2-06 STM&2-05 ATM	\$5,693,580	9/12/2006	4.00%	19	\$300,000,000	\$17,600,000	\$290,000,000	\$5,800,000	\$0.00	\$0.00
Interest & Principal						\$317,600,000	\$295,800,000	\$290,000,000	\$5,800,000	\$0.00	\$0.00
<b>Total School Projects</b>		<b>\$5,693,580</b>				<b>\$317,600,000</b>	<b>\$295,800,000</b>	<b>\$290,000,000</b>	<b>\$5,800,000</b>	<b>\$0.00</b>	<b>\$0.00</b>
DPW Truck	#24-16	\$213,334	8/26/2015	6.00%	10	\$16,000,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DPW Truck Silverado 50%	#22-19	\$10,500	8/26/2018	6.00%	5	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Drainage Hard Roll/Bear Pond	#32-19	\$175,000	8/26/2018	6.00%	10	\$17,500,000	\$3,675,000	\$17,500,000	\$2,625,000	\$52,500,000	\$2,100,000
Kubota Tractor	FY20	\$56,000	8/26/2019	6.00%	5	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Interest & Principal						\$37,175,000	\$20,125,000	\$17,500,000	\$2,625,000	\$52,500,000	\$54,600,000
<b>Total Other DPW</b>		<b>\$456,834</b>				<b>\$33,500,000</b>	<b>\$3,675,000</b>	<b>\$17,500,000</b>	<b>\$2,625,000</b>	<b>\$52,500,000</b>	<b>\$2,100,000</b>

**DEBT SERVICE INCLUDING ESTIMATED  
AUTHORIZED DEBT**

Description	Reference	Borrowings	Issue Date	Interest Rate	Terms Years	FY25		FY26		FY Thereafter	
						Principal	Interest	Principal	Interest	Principal	Interest
Coast Guard Houses	#104-STM	\$2,100,000	1/11/2005	1.50%	10						
Paving	#21-16	\$250,000	8/26/2015	6.00%	10	\$75,000.00	\$900.00	\$25,000.00	\$300.00		
Police Vehicle	#23-17	\$43,500	8/26/2016	6.00%	5						
Roads and Sidewalks	#17-17	\$100,000	8/26/2016	6.00%	10	\$10,000.00	\$900.00	\$10,000.00	\$300.00	\$40,000.00	\$300.00
Ambulance	#24-17	\$205,000	8/26/2016	6.00%	7	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fire Radio Upgrade	#25-17	\$67,000	8/26/2016	6.00%	5						
Roads and Sidewalks	#19-18	\$80,000	8/26/2017	6.00%	10	\$8,000.00	\$1,200.00	\$8,000.00	\$720.00	\$24,000.00	\$240.00
Police Heating System	#25-18	\$46,000	8/26/2017	6.00%	5						
40 Steps Revetment	#32-18	\$135,700	8/26/2017	6.00%	5	\$15,000.00	\$450.00				
Fire Temporary Structure	#21-19	\$75,000	8/26/2018	6.00%	5						
Fire Truck (Town's Share)	#20-19	\$54,600	8/26/2018	6.00%	10	\$5,460.00	\$1,146.60	\$5,460.00	\$819.00	\$10,920.00	\$491.40
Paving	#15-19	\$80,000	8/26/2018	6.00%	10	\$8,000.00	\$2,160.00	\$8,000.00	\$2,160.00	\$32,000.00	\$2,160.00
FEMA Storm Damage	FY20	\$80,000	8/26/2019	6.00%	10	\$8,000.00	\$3,120.00	\$8,000.00	\$2,640.00	\$40,000.00	\$6,000.00
LED Streetlights	FY19	\$1613,000	5/15/2018	6.00%	10						
Paving	FY20	\$70,000	6/23/2020	6.00%	10	\$10,000.00	\$3,900.00	\$10,000.00	\$3,300.00	\$50,000.00	\$7,500.00
Municipal Finance Software	FY21	\$100,000	8/26/2020	6.00%	10	\$10,000.00	\$10,500.00	\$10,000.00	\$6,300.00	\$70,000.00	\$2,100.00
Police 2-way radios	FY22	\$350,000	8/26/2021	6.00%	5	\$70,000.00	\$5,700.00	\$70,000.00	\$3,420.00	\$38,000.00	\$1,140.00
Lowlands Drainage	FY22	\$100,000	8/26/2021	6.00%	10	\$10,000.00	\$4,500.00	\$10,000.00	\$3,900.00	\$60,000.00	\$10,800.00
Interest & Principal						\$291,936.60	\$216,319.00	\$192,460.00	\$23,859.00	\$364,920.00	\$30,731.00
<b>Total General Projects</b>		<b>\$5,742,800</b>				<b>\$257,460</b>	<b>\$34,477</b>	<b>\$192,460</b>	<b>\$23,859</b>	<b>\$364,920</b>	<b>\$30,731</b>
<b>Short Term Interest - RANS</b>						<b>\$40,000.00</b>	<b>\$40,000.00</b>				<b>\$0.00</b>
<b>TOTAL ALL</b>						<b>\$1,260,440</b>	<b>\$511,911</b>	<b>\$1,167,940</b>	<b>\$456,510</b>	<b>\$6,723,860</b>	<b>\$2,643,465</b>
<b>CPA Debt</b>											
CPA Library Renovations	#16C-4/19	\$400,000	8/26/2019	6.00%	10	\$40,000.00	\$10,400.00	\$40,000.00	\$8,800.00	\$300,000.00	\$70,000.00
CPA Town Buildings	#21E-5/21	\$500,000	8/26/2021	4.00%	10	\$50,000.00	\$16,000.00	\$50,000.00	\$14,000.00	\$300,000.00	\$42,000.00
CPA East Point	#21F-5/21	\$1,500,000	8/26/2021	4.00%	30	\$30,000.00	\$56,000.00	\$30,000.00	\$34,000.00	\$1,300,000.00	\$702,000.00
<b>Interest &amp; Principal</b>							\$227,400.00	\$140,000.00	\$76,800.00	\$1,800,000.00	\$2,564,000.00
<b>Total CPA Debt</b>							<b>\$227,400.00</b>	<b>\$140,000.00</b>	<b>\$76,800.00</b>	<b>\$1,800,000.00</b>	<b>\$2,564,000.00</b>
Issued as short-term BANS; principal and interest payments in above schedule reflect if debt was issued long-term											

**APPENDIX 7A**  
**Revenue and Debt Summary Table and Graphics**

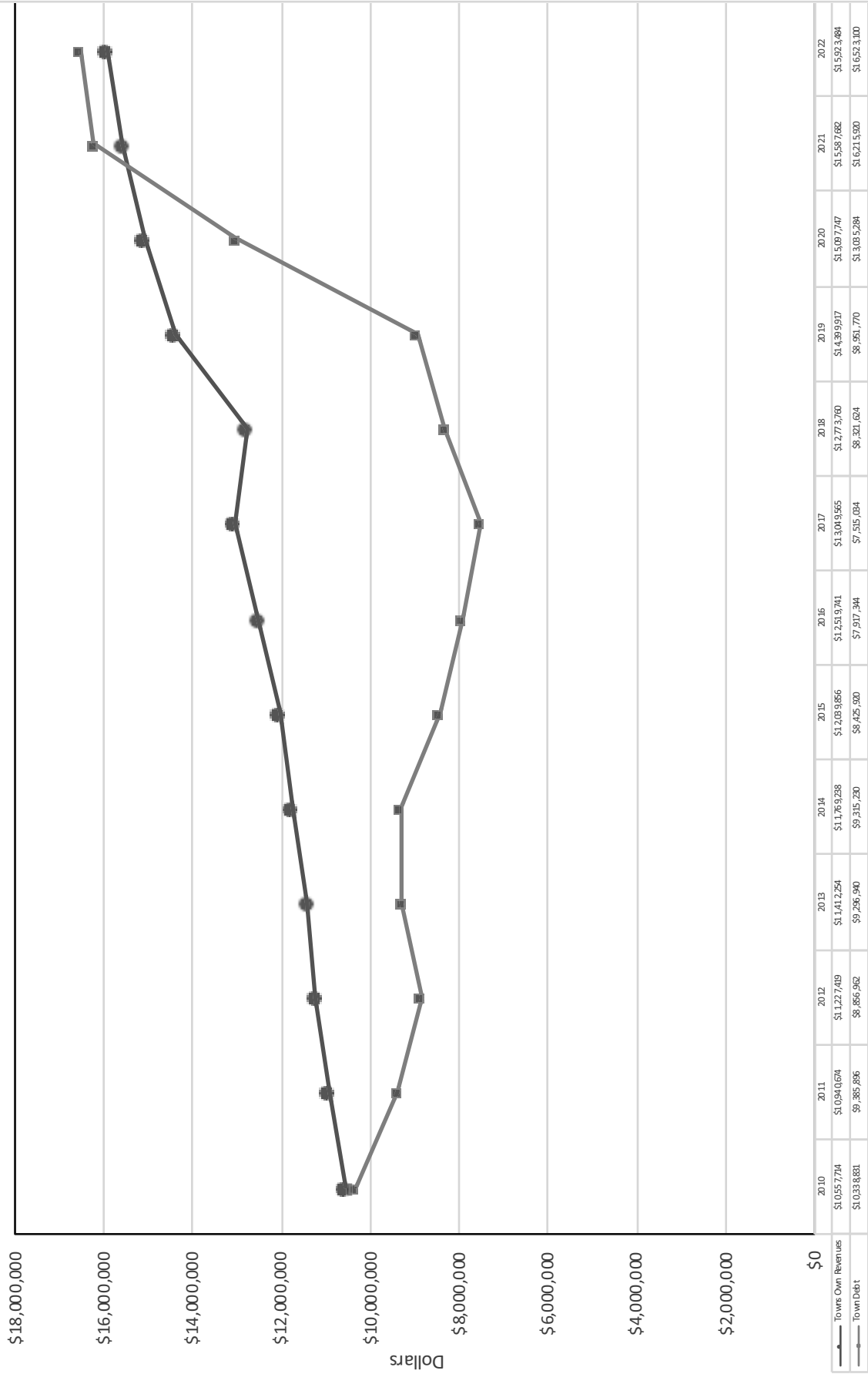
Graphical Representation of Town Revenue and Debt Trends



# Revenue and Debt Summary Table

Fiscal Year	Total Valuation Removing Exempt Properties	Property Tax Revenue	Local Revenues	Cherry Sheet	Total Revenues	Nahants Own Revenue	Town Buildings	Town Equipment	School Buildings	School Other	Sewer	Water	CPA	BANS	RAMSSANS	FANS	Total Debt	Debt to Revenue	Debt to Revenue Own Source	
1992		\$3,477,062																		
1993		\$3,579,322																		
1994		\$3,678,636																		
1995		\$3,780,104																		
1996		\$3,891,769																		
1997		\$4,046,046																		
1998		\$4,481,519																		
1999		\$4,609,496																		
2000		\$4,754,663																		
2001		\$5,031,005																		
2002		\$5,189,180																		
2003		\$5,351,005																		
2004		\$5,582,443																		
2005		\$5,757,002																		
2006		\$6,013,739																		
2007		\$7,215,168	\$3,465,798	\$1,060,413	\$11,741,379	\$10,680,966														
2008		\$7,212,381	\$3,429,480	\$1,056,854	\$11,698,715	\$10,641,861														
2009		\$7,333,651	\$3,224,063	\$934,337	\$11,492,051	\$10,557,714														
2010		\$7,508,762	\$3,431,912	\$831,127	\$11,771,801	\$10,940,674														
2011		\$7,714,292	\$3,513,127	\$796,503	\$12,023,922	\$11,227,419														
2012		\$7,894,469	\$3,517,785	\$844,181	\$12,256,435	\$11,412,254														
2013		\$8,101,813	\$3,667,426	\$848,394	\$12,617,632	\$11,769,238														
2014		\$8,285,176	\$3,754,680	\$868,833	\$12,908,689	\$12,039,856														
2015		\$8,515,146	\$4,004,595	\$903,228	\$13,422,969	\$12,519,741														
2016		\$8,729,426	\$4,320,138	\$916,508	\$13,966,073	\$13,049,565														
2017		\$8,916,933	\$3,856,827	\$952,412	\$13,726,172	\$12,773,760														
2018		\$9,797,711	\$4,602,206	\$964,353	\$15,364,270	\$14,399,917														
2019		\$10,371,094	\$4,726,653	\$1,036,126	\$16,133,873	\$15,097,747														
2020		\$10,849,982	\$4,737,700	\$1,002,382	\$16,590,064	\$15,587,682														
2021		\$11,594,113	\$4,329,371	\$1,003,889	\$16,927,373	\$15,923,484														
2022		\$11,735,946																		
2023		\$11,893,170																		
2024		\$12,121,299																		
2025																				

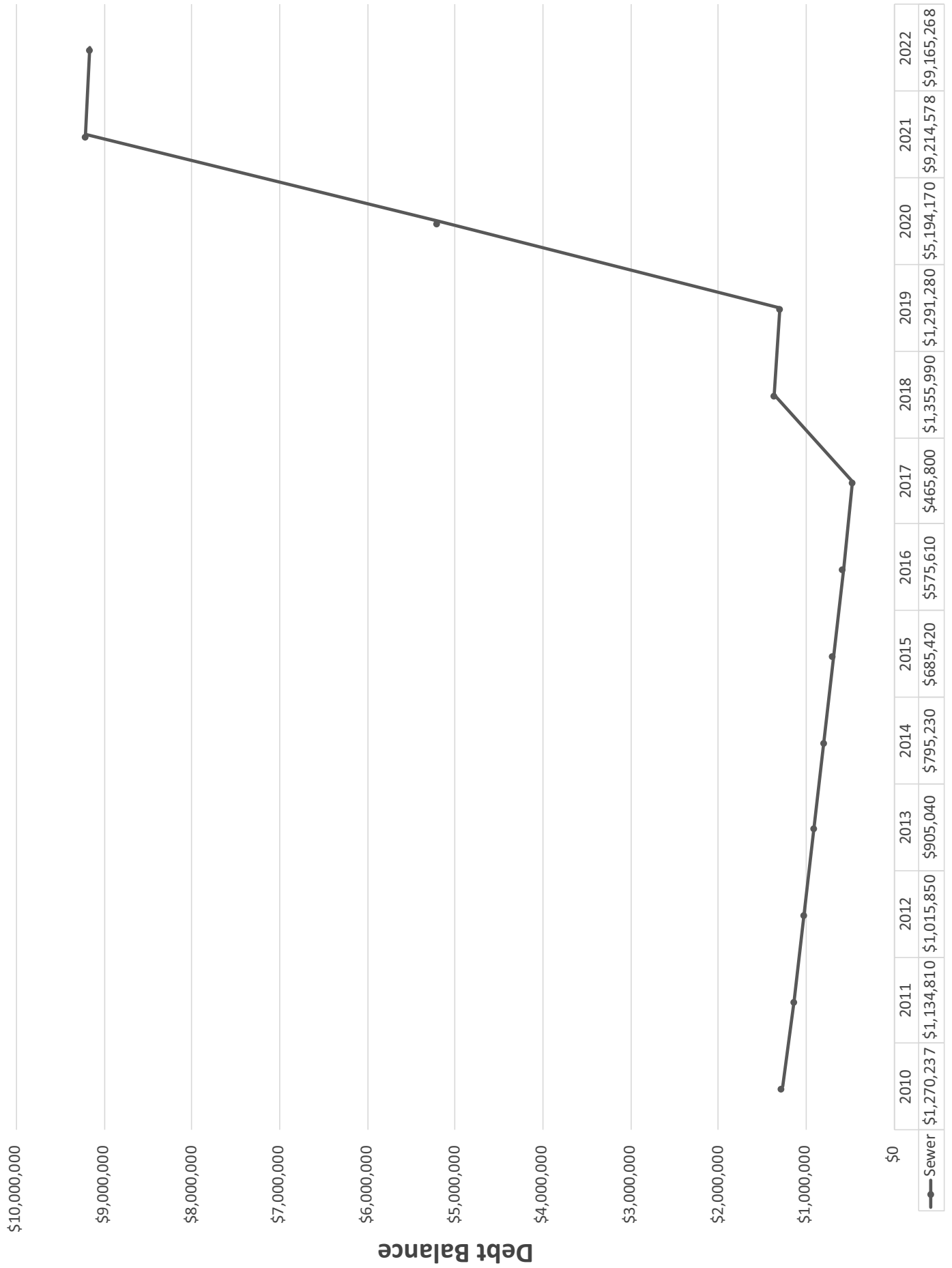
# Fiscal Year End Debt to Towns Own Revenue



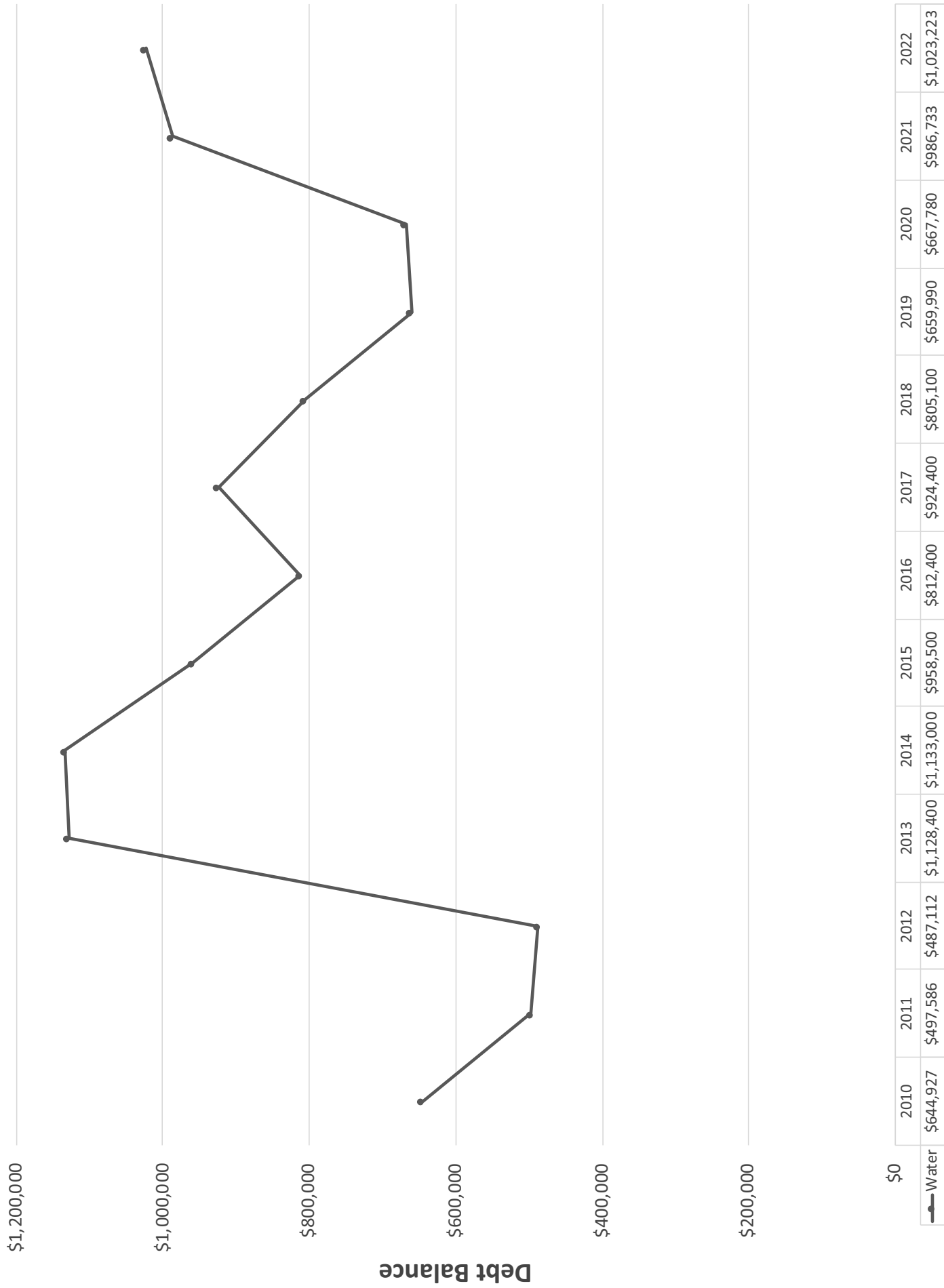
Fiscal Years

● Towns Own Revenues    ■ Town Debt

# Debt on Town Sewer System

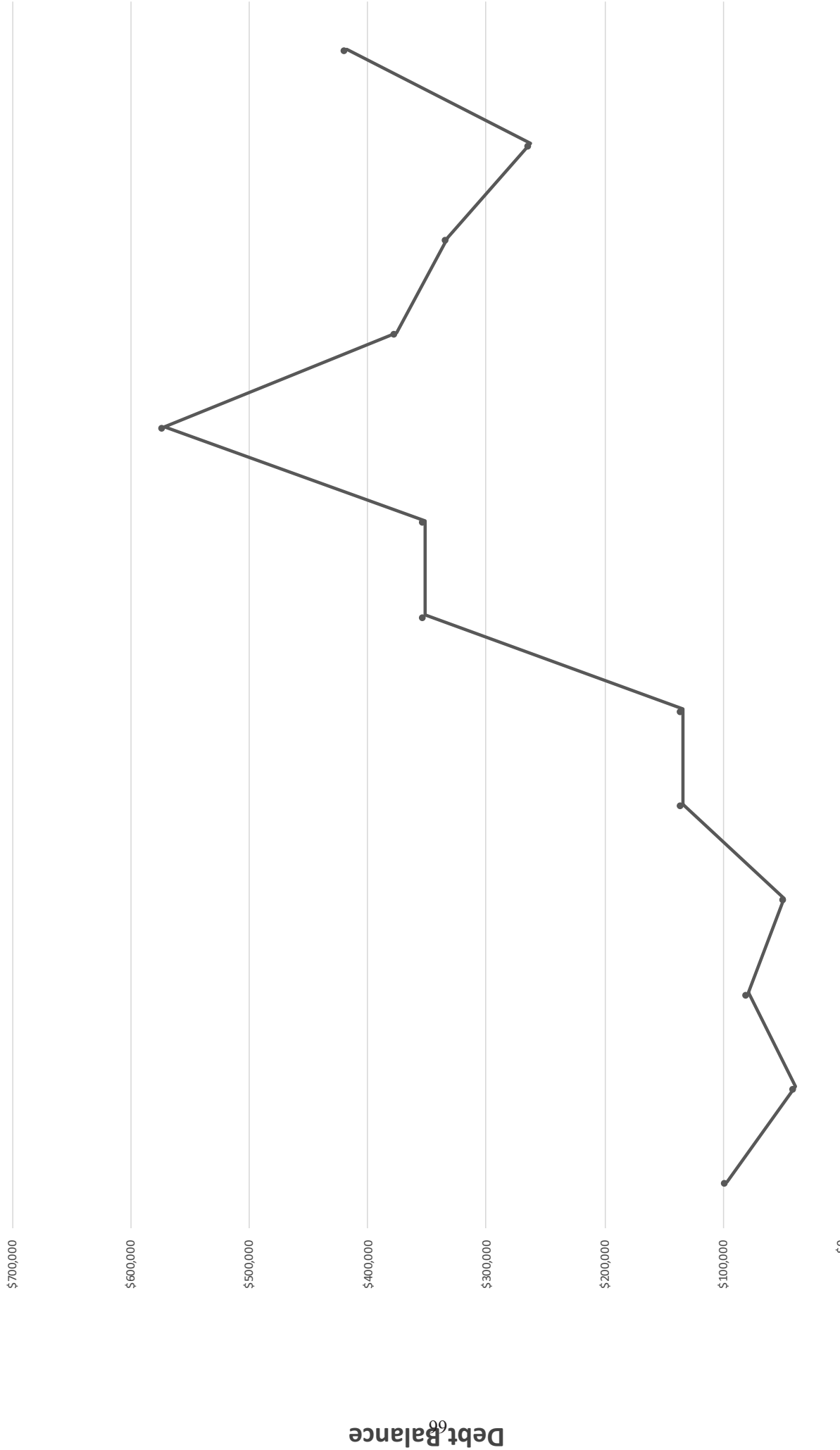


# Debt on Town Water System



Fiscal Year

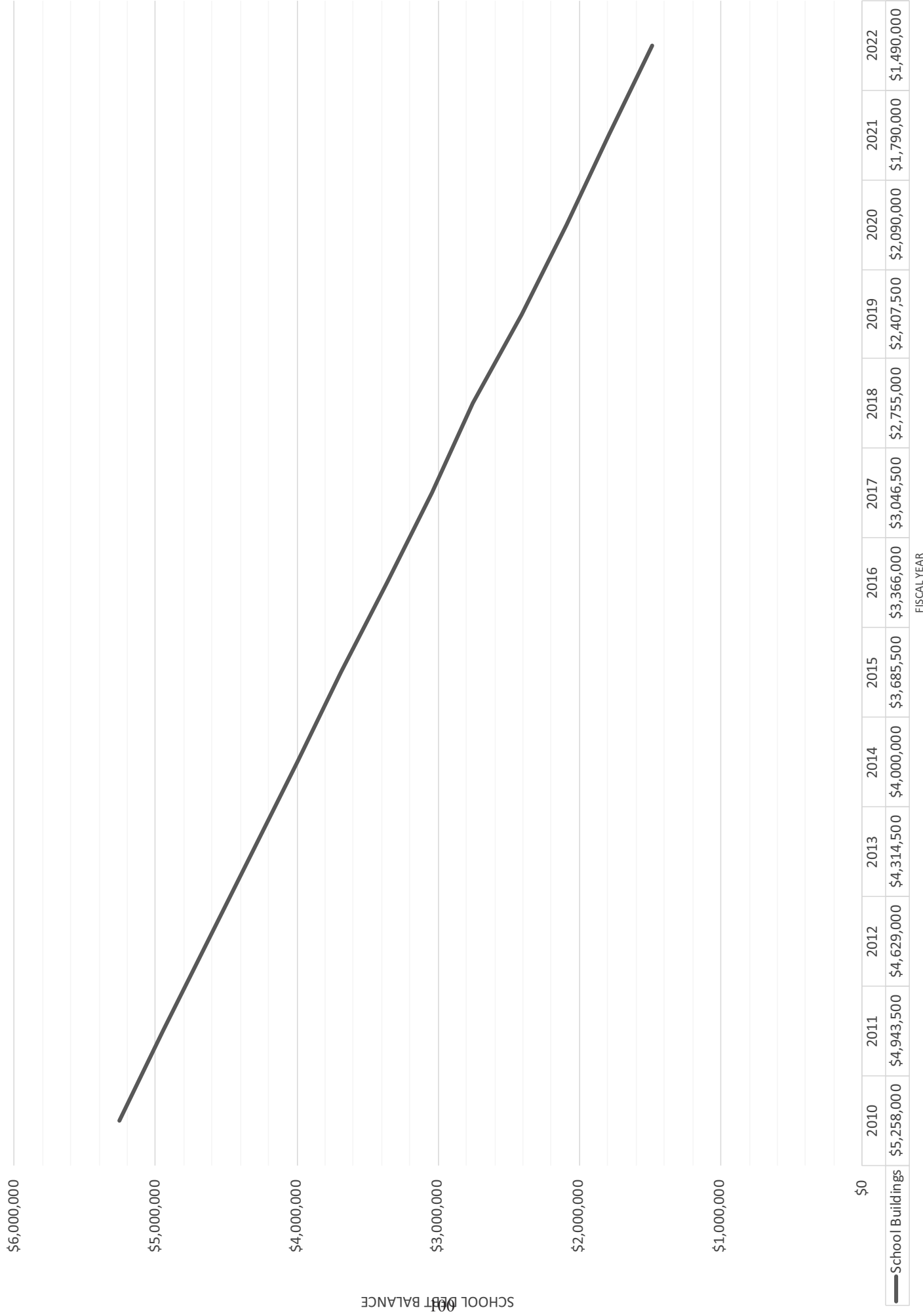
# Debt on Town Equipment



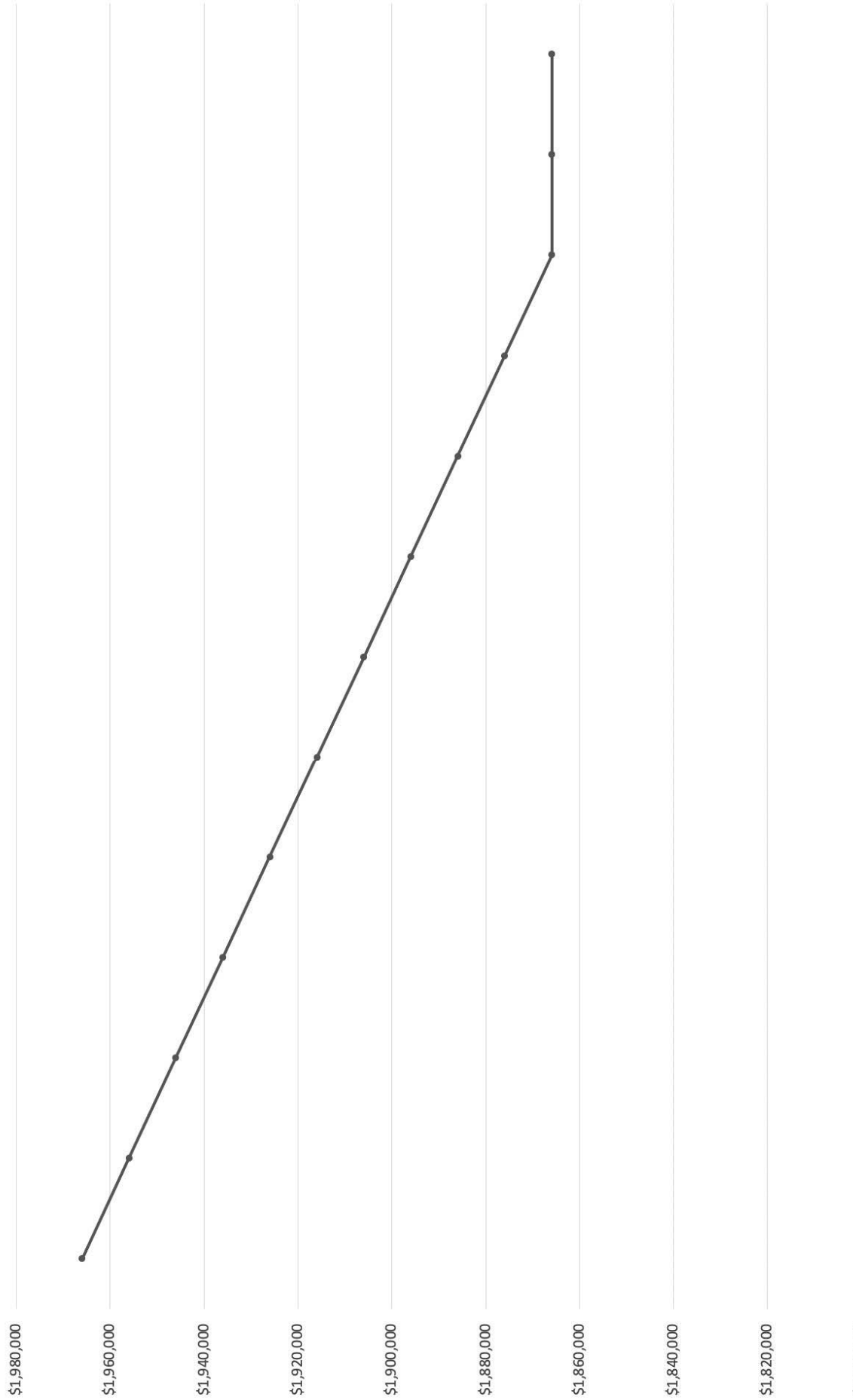
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Debt on j Town Equipment	\$96,667	\$39,000	\$79,000	\$48,000	\$134,000	\$134,000	\$1,134,000	\$351,834	\$572,334	\$376,300	\$332,634	\$262,909	\$418,409

Fiscal Year

# School Buildings - Johnson School



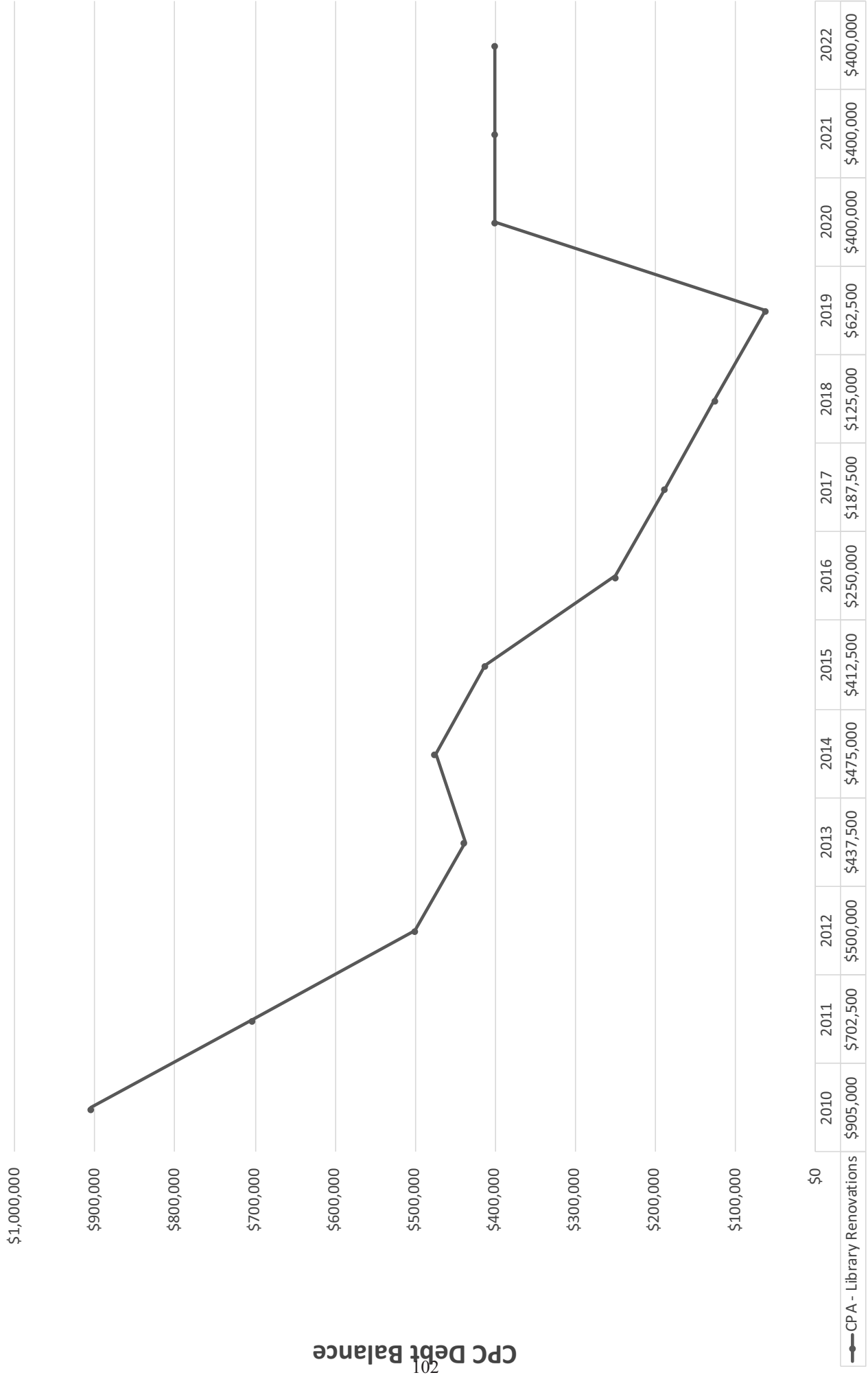
## Town Owned Buildings - Coast Guard Housing



	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
— Town Owned Buildings	\$1,966,000	\$1,956,000	\$1,946,000	\$1,936,000	\$1,926,000	\$1,916,000	\$1,906,000	\$1,896,000	\$1,886,000	\$1,876,000	\$1,866,000	\$1,866,000	\$1,866,000



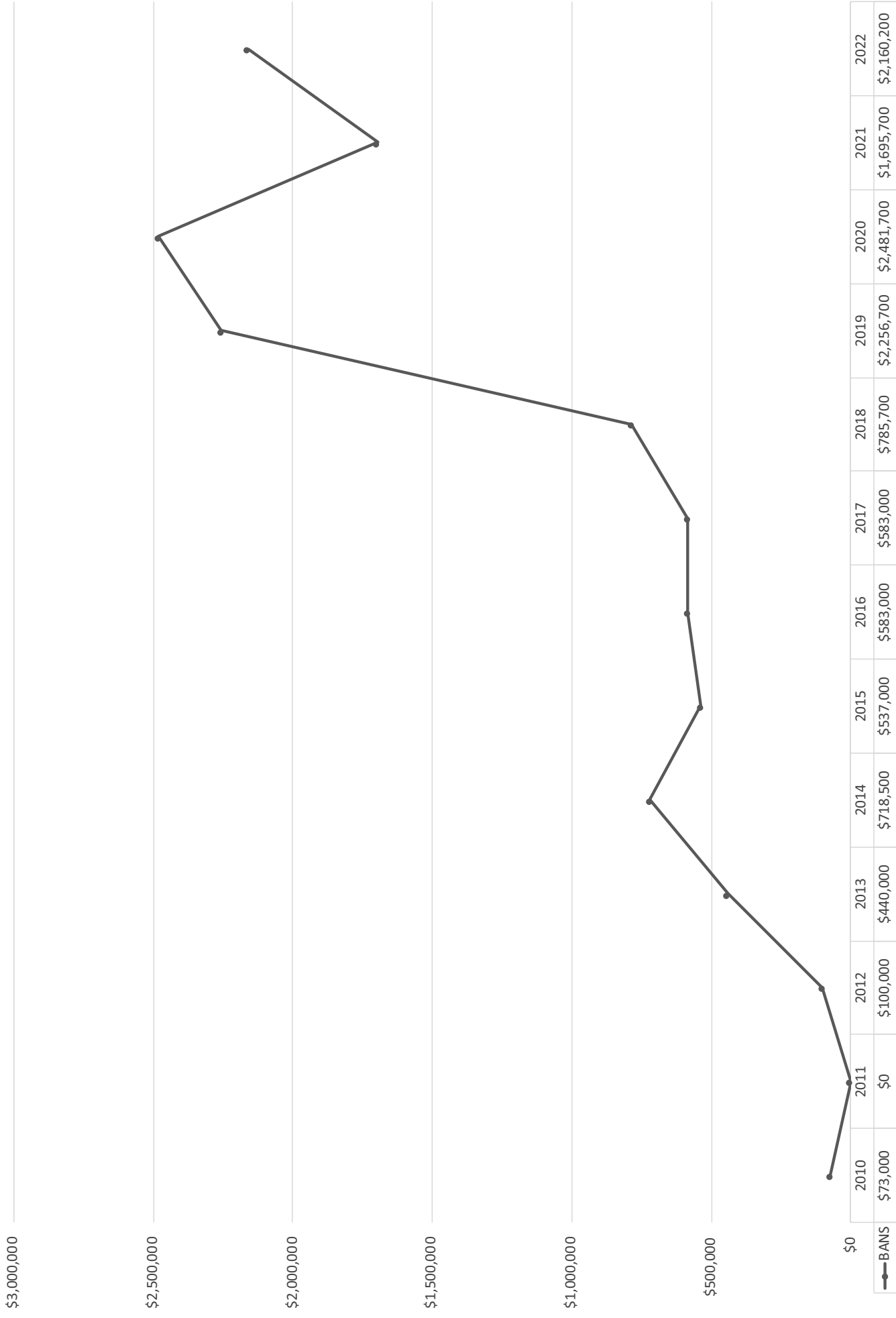
# CPC



Fiscal Year

CPC Debt Balance

# Bond Anticipation Notes



BANS Debt Balance

Fiscal Year

## **APPENDIX 8**

### **Reserve Fund Transfers**

This shows the transfers made from the Advisory and Finance Committee's Reserve Fund in FY21 as of the publication of this report.

**Reserve Fund Activity  
Fiscal Year 2021**

<b>Reserve Fund Beginning Balance</b>					
	<b>Total Available</b>				<b>\$343,913.00</b>
	<b>Reserve Fund Transfers</b>				
<b>FinCom Approval</b>		<b>Account</b>	<b>Account Number</b>	<b>Amount</b>	
<b>Date</b>					
1/21/2021		Town Accountant Salary	01-135-510-511001-00	\$23,900.00	
1/21/2021		COVID Salaries	01-122-510-511060-00	\$49,530.00	
1/21/2021		COVID Supplies	01-122-540-540020-00	\$8,000.00	
1/21/2021		COVID Purchased Services	01-122-520-520002-00	\$44,850.00	
		Approved			<b>\$126,280.00</b>
	<b>Reserve Fund Balance</b>				<b>\$217,633.00</b>

## **APPENDIX 9**

### **Article 20 - Coast Guard Design and Development Advisory Committee References**

The Coast Guard Design and Development Advisory Committee's presentation of their process and outcomes.

This document was created by the The Coast Guard Design and Development Advisory Committee and is included for reference by the Advisory and Finance Committee.

**Work Plan: Nahant CCHC to be filled out by committee.....(09/12/2017)**

1 Planning, process & development of options	2 Preliminary data analysis & evaluation to prioritize	3 Presentation & review initial findings w/key issues/areas (Hearing)	4 Detailed analysis & evaluation of better options	5 Presentation & review detailed findings w/key issues/areas (Hearing)	6 Finalize best land use options; Restrictions, guidelines & Documentation
<ul style="list-style-type: none"> <li>Establish committee, objective, scope &amp; work plan</li> <li>Develop &amp; finalize committee process</li> <li>Identify/obtain &amp; review past relevant work</li> <li>Obtain input for land use scenarios                             <ul style="list-style-type: none"> <li>Selectment's challenge</li> <li>Town depts.</li> <li>Public input</li> </ul> </li> <li>Develop/identify options for use</li> <li>Develop necessary data sets to evaluate options</li> </ul>	<ul style="list-style-type: none"> <li>Obtain, collect or develop supporting data &amp; information for each element for each scenario</li> <li>If unable to accomplish, specify information gap needed to be filled</li> <li>Identify expertise to fill gaps (source for key scenarios)</li> <li>Prepare information package for each scenario to share w/committee</li> <li>Evaluate against preliminary criteria</li> </ul>	<ul style="list-style-type: none"> <li>Prepare findings &amp; data to extract key learning's at hearing. Make presentation to town committees</li> <li>Present land use options and preliminary findings to solicit feedback on each option (public hearing)</li> <li>Present criteria &amp; preliminary rating for each to obtain consensus on reducing number of options to &lt;5</li> <li>Synthesize learning's into preliminary scenarios to address issues &amp; fill gaps</li> </ul>	<ul style="list-style-type: none"> <li>Review necessary revisions for each option</li> <li>Identify where additional expertise is needed...</li> <li>Expedite resolution of issues &amp; gaps</li> <li>Revise each remaining scenario appropriate to have consistent data sets for all</li> <li>Evaluate revised scenarios against revised criteria</li> </ul>	<ul style="list-style-type: none"> <li>Prepare revised detailed findings and data...for each of the more attractive scenarios</li> <li>Prepare appendix page w/supporting details for each</li> <li>Post information so Nahant residents have sufficient time to evaluate each before scheduled hearing</li> </ul>	<ul style="list-style-type: none"> <li>Address any new or problematic issues revealed by hearing &amp; finalize information &amp; documentation for the best options</li> <li>Prepare clear supporting recommendation and stipulations for each attractive land use option to enable the town to specify exact conditions of sale/use...</li> </ul>
<ul style="list-style-type: none"> <li>OSWP outlined for CCHC's objective</li> <li>Town committee /Dept input</li> <li>Collect and list potential scenarios</li> <li>Draft (~8-10) land use scenarios</li> <li>Draft necessary data sets for evaluation</li> <li>Develop preliminary evaluation criteria</li> </ul>	<ul style="list-style-type: none"> <li>Develop &amp; modify scenario descriptions to 6-10 preliminary</li> <li>Identify all potential issues for each scenarios</li> <li>Obtain agreed data sets for each scenario</li> <li>Prepare Executive level ppt of macro finding &amp; status of committee's progress...</li> </ul>	<ul style="list-style-type: none"> <li>Publish/present macro findings to maintain communication channels w/selectmen &amp; town</li> <li>Identify &amp; collect necessary revisions to scenarios for detailed analysis</li> </ul>	<ul style="list-style-type: none"> <li>Revised options and remaining details to address</li> <li>Address all key issues &amp; gaps using internal or external expertise...</li> </ul>	<ul style="list-style-type: none"> <li>Publish/present final recommended scenarios w/supporting details at public hearing</li> <li>Executive level presentation documenting revisions with supporting documentation</li> <li>Highlight benefits &amp; issues of each scenario</li> </ul>	<p style="text-align: center; border: 1px solid black; padding: 10px;"> <b>Accepted work plan</b>  <b>9/20/17</b> </p>

# Criteria

Criteria	Low	Medium	High
<b>Design &amp; character that fit w/ neighborhood...</b> (2X)	<ul style="list-style-type: none"> <li>• Larger house</li> <li>• &lt;31'-35" height</li> <li>• &lt; 45% (FAR) Floor area ratio</li> <li>• 2+ car parking</li> </ul>		<ul style="list-style-type: none"> <li>• Small- medium size house</li> <li>• &lt; 30' height.</li> <li>• 2- car parking.</li> <li>• 23-30% (FAR) floor area ratio limit</li> </ul>
<b>Financial- (sale)</b>	<ul style="list-style-type: none"> <li>• Money from disposition less than 1.86MM</li> </ul>	<ul style="list-style-type: none"> <li>• Pay off the loan completely...</li> <li>• &gt;\$1.86 MM</li> </ul>	<ul style="list-style-type: none"> <li>• Positive cash to town :</li> <li>• &gt; \$3.6 MM</li> </ul>
<b>Financial- (ongoing)</b>	<ul style="list-style-type: none"> <li>• Lower Tax benefit</li> </ul>	<ul style="list-style-type: none"> <li>• Pro-forma estimate -&gt; \$ 50k/yr.</li> <li>• Pro-forma estimate -&gt; \$ 720K over 15 years</li> </ul>	<ul style="list-style-type: none"> <li>• Higher tax benefit</li> </ul>
<b>Least negative impact on neighborhood</b>	<ul style="list-style-type: none"> <li>• High traffic</li> <li>• High density</li> <li>• Long term transition</li> </ul>	<ul style="list-style-type: none"> <li>• 12 home lots w/restrictions</li> <li>• scheduled construction</li> </ul>	<ul style="list-style-type: none"> <li>• Low traffic</li> <li>• Low density</li> <li>• Short/managed transition</li> </ul>
<b>Housing needs of the town- Affordability</b>	<ul style="list-style-type: none"> <li>• Large house- multi-level</li> <li>• &gt; higher price</li> </ul>		<ul style="list-style-type: none"> <li>• Small house-1 level</li> <li>• Multi-bedroom</li> <li>• moderately priced</li> </ul>
<b>Housing needs of the town- Elderly/young families</b>	Elderly <ul style="list-style-type: none"> <li>• Large house- multi-level &gt; "\$"</li> <li>Young family</li> <li>• Big "\$" large house-small yard</li> </ul>		<ul style="list-style-type: none"> <li>• Small house-1 level, &lt; "\$"</li> <li>Yard + &lt; "\$"</li> <li>• Multi bedroom</li> </ul>
<b>Address 40B need (even if partially)</b>	This criteria has been dropped		
<b>Respectful of current zoning by-laws</b>	<ul style="list-style-type: none"> <li>• As is...Conforms to current zoning requirements, -subject to review</li> </ul>	<ul style="list-style-type: none"> <li>• Variance and special permits required</li> <li>• Deed restrictions</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning overlay district to reduce building area ratio to 25% can be accomplished with Deed Restrictions</li> </ul>
<b>Ability to execute</b>	<ul style="list-style-type: none"> <li>• Difficult to "pull off"...</li> <li>• Development process &amp; timing unclear</li> <li>• Town approval or "buy-in" required</li> </ul>		<ul style="list-style-type: none"> <li>• Feasibility of plan is high and documented</li> <li>• High probability</li> </ul>

★ Financial scores will be 1-5 (low to high) respectively and combined.

## Options Considered

1. Open Space
2. Rent existing houses to pay off loan then transition to open space
3. Sell off enough houses to pay loan – the rest becomes open space
4. Over 55 Community (with Senior center)
5. Design / build a sample house
6. More Lots – (9500 square feet)
7. Every lot 10,000 sq. ft. – remaining land becomes open space
8. Townhouses and open space
9. Single family houses and townhouses



## Options Considered

10. Sell As Is (with restrictions)
11. Tear down houses and sell 10 lots (with restrictions)
12. Tear down and sell 12 lots (with Restrictions)

Other options discussed but no research was done since there were too many hurdles to feel these options were viable – Higher density, increased traffic, zoning bylaws, and upfront income would be taken by developer.

### Tiny Houses

More houses on much smaller lots

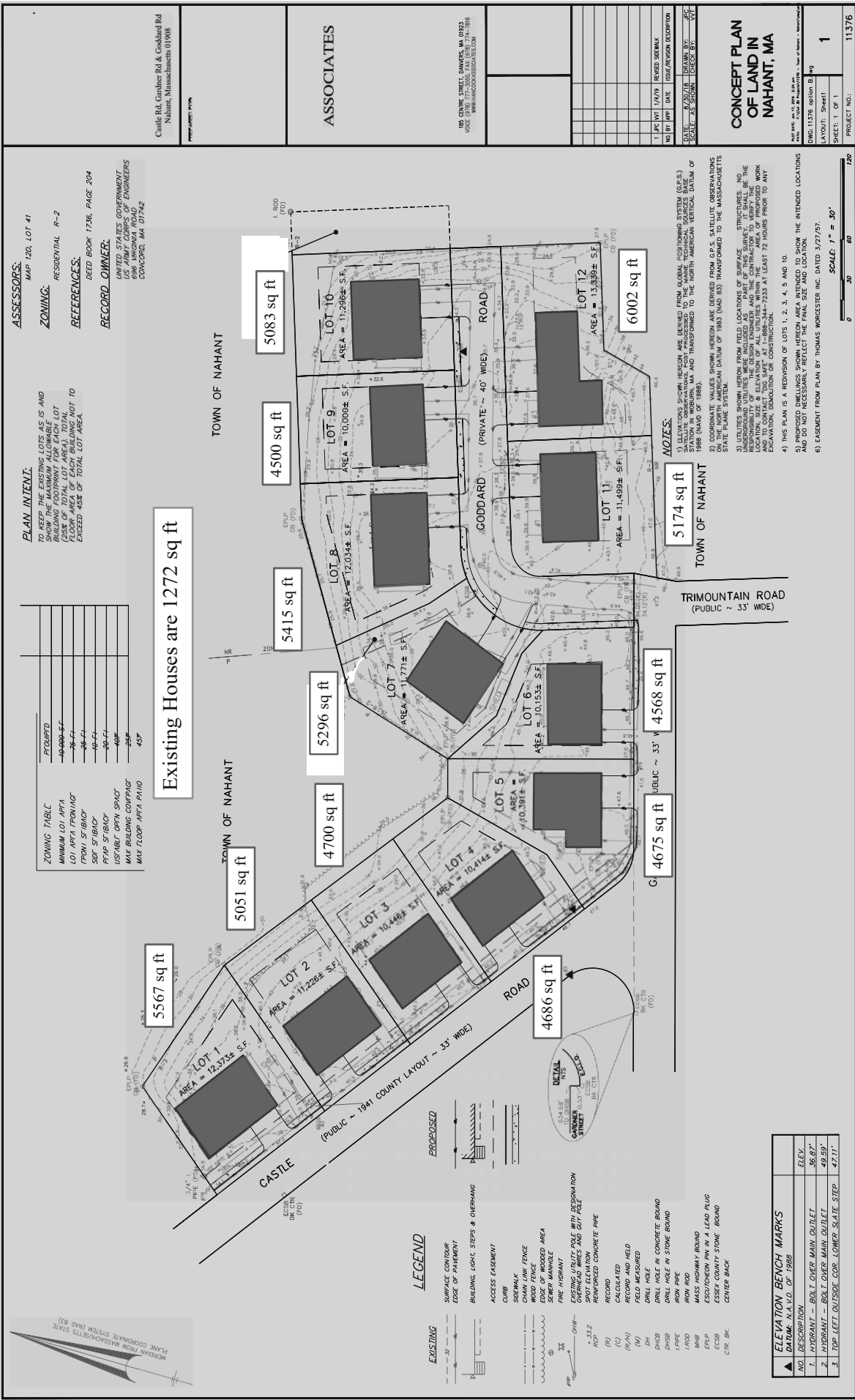
Large scale development (condos/apartments)

# Score sheet

Criteria	Sell As Is	Rent Houses Then Open Space	Sell 8 Houses The rest open space	Tear Down Sell 12 Lots	Tear Down Sell 10 Lots	Notes
Design & character that fit w/neighborhood...(2X?)	6	9	7	9	10	since uniform houses look like what they are - new house would better fit
Financial- (sale)	5	0	3	10	8	rated on final costs after expenses - up-keep costs with open space
Financial- (ongoing)	4	2	4		9	2 for open space option based on income for 15yrs - ranked others on income after expenses
Least negative impact on neighborhood	7	6	8		7	Sell as is leaves neighbor with uniform houses - Scored similar since all will impact neighborhood during demo/construction
Housing needs of the town- Affordability (1)	10			8	8	0 for open space - does not address housing needs
Housing needs of the town- Elderly/young	10		8	8	7	0 for open space - does not address housing needs --scored high for lots - young and old can buy lots and build for their needs
Respectful of current zoning by-laws	9	10	9	10	10	Scored 9 on Zoning for as is & 8 houses - lots would conform but be odd shaped
Ability to execute	10	2	3	10	7	A generous 2 for open space - I do not feel we would get Town Meeting to approve - also not selling 2 lots we could lose 800K
<b>Total</b>	<b>61</b>	<b>29</b>	<b>49</b>	<b>72</b>	<b>66</b>	



# Potential houses with 45% FAR



## **APPENDIX 10**

### **Wetland By-Law Study Report**

This document was created by the Wetlands by-law Study Committee and is included for reference by the Advisory and Finance Committee.

# Nahant Wetlands By-law Study Committee Report

## Prepared March 30, 2020

### Contents:

1. Background
  - a. Mission of the Committee
  - b. Committee Formation
  - c. Committee Members
2. Frequently Asked Questions (FAQs)
3. Comparison of Nahant Wetlands By-law to Massachusetts Wetlands Protection Act
4. Figure 1. Homeowners Guide to Nahant Wetland Protection By-Law Flowchart
5. Figure 2. Massachusetts communities with local wetlands protection by-laws.

Mission of the Committee: On October 9, 2019 our committee established that our purpose is to gather residents' concerns, examine the Wetlands Protection By-law, collect facts and create a report. The report, which was to be shared with the public, is intended to address concerns raised by the public and provide a comparative assessment of the local Wetlands Protection By-law to the Massachusetts Wetlands Protection Act.

Committee Formation: The committee was created during Town Meeting on April 27, 2019. Mr. Carangelo of the Finance Committee stated: "I move that the Town vote to repeal in its entirety the Wetlands Bylaw adopted at the August 27, 2018 Special Town Meeting." This motion generated extended discussion. Mr. Frank Guidara then made a motion: "Pursuant to Town Meeting, Sections 12 and 41, to refer the matter of Article 27 to a select Wetlands Study Committee...The Wetlands Study Committee will review the Wetlands Protection Bylaw and report back to us, the citizens, the facts, not opinions, but facts, at the next annual Town Meeting." (N.B. the ... in the previous sentence represent the list of proposed members of the new committee).

Following this motion there was extended discussion of who should be on the Committee and the results were:

Town Administrator, 1 member of the Board of Selectmen, 2 members of the Planning Board, 2 members of the Conservation Commission, 1 member of the Finance and Advisory Committee, and Vi Patek or other member of S.W.I.M.

Committee Members: The boards and committees listed above appointed the following individuals to serve on the Wetlands Protection By-law Study Committee:

Town Administrator Antonio Barletta, Selectman Joshua Antrim, Planning Board Member Gene Cauty, Planning Board Member Cal Hastings, Conservation Commission Member Kristin Kent, Conservation Commission Member Henry Hall, Finance and Advisory Committee Member Robert Vanderslice, Nahant S.W.I.M. Inc. President Vi Patek.

## Frequently asked questions (FAQs) regarding the Nahant Wetlands Protection By-Law (WPB)

NOTE: Prior to using this guide, a review of Nahant's Wetlands Bylaw maps. The Conservation Commission (Con Com) has jurisdiction in the zones colored in pink (State Wetlands/Water Resource Area), orange (State Wetlands/Water Resource Buffer Zone) and yellow (new Town Wetlands By-law Buffer Zone). Projects in white zone do not require Con Com approval. WPB = Wetlands Protection By-law

1. Why do most coastal Massachusetts towns adopt wetlands by-laws?

Answer: Wetlands bylaws allow towns to protect resources that are important to them. Coastal towns are particularly vulnerable to environmental impacts and require additional protections. See Figure 2 of this report for a map of Towns in Massachusetts with local wetlands bylaws.

2. Is the WPB duplicative to the Massachusetts Wetlands Act? If so, why? What are the similarities and what are the differences?

Answer: There is considerable overlap between the local and state laws. The local law includes additional specifics and includes the 100 foot buffer zone to floodplains. See the comparison in this report. Also, refer to the local wetlands map.

[http://www.nahant.org/documents/by\\_laws/Wetlands\\_Bylaw\\_Maps\\_August\\_27\\_2018.pdf](http://www.nahant.org/documents/by_laws/Wetlands_Bylaw_Maps_August_27_2018.pdf)

3. Does the local WPB affect insurance rates?

Answer: No, there is no impact on flood insurance rates or requirements. Flood insurance rates are based on federal FEMA maps, the wetlands maps are based on FEMA elevations.

4. Why does Nahant need a local law when we are already covered by Massachusetts law?

Answer: The state law is weak on coastal floodplain protection. Adoption of a bylaw allows the town to further protect coastal floodplain and areas within 100 feet of floodplain. Massachusetts law is somewhat generic since it has to apply to all 351 cities and towns in the Commonwealth.

5. What, if any, are the additional burdens on property owners?

Answer: The additional burden is that property owners in the new 100 foot buffer zone must apply to the Conservation Commission for projects. There are also nominal additional filing fees contained in the by-law regulations.

See link to map with zones, including new 100' floodplain buffer zone and link to the by-law regulations detailing additional fees.

[http://www.nahant.org/documents/by\\_laws/Wetlands\\_Bylaw\\_Maps\\_August\\_27\\_2018.pdf](http://www.nahant.org/documents/by_laws/Wetlands_Bylaw_Maps_August_27_2018.pdf)

[http://www.nahant.org/documents/by\\_laws/Nahant%20Wetlands%20Bylaw%20Regulations.pdf](http://www.nahant.org/documents/by_laws/Nahant%20Wetlands%20Bylaw%20Regulations.pdf)

6. Why must I appeal to Superior Court if I can't reach agreement with Conservation Commission?

Answer: This is a state law requirement, not a requirement specific to the local wetlands by-law.

7. Does the WPB affect Northeastern?

Answer: Yes, Northeastern's property contains wetland resource areas, including the 100 foot buffer zone to floodplain. Northeastern will be required to file with the Conservation Commission for work proposed within Conservation jurisdiction.

8. Should WPB apply to all of town?

Answer: Higher elevation properties are typically governed by stormwater management by-laws rather than wetlands by-laws, as is the case in Nahant. Stormwater run-off is an important issue for Nahant and can be addressed through changes to the town's stormwater management by-law.



9. How will this impact on my ability to maintain my yard?  
Answer: The by-law does not impact your ability to conduct regular yard maintenance. If you plan to bring in fill or change the topography of your yard, and live in a colored zone, you must first contact the Con Com.
10. Will buffer zones be added to FEMA floodplains in the future?  
Answer: No, FEMA maps are based on elevations established using computer modeling. FEMA does not utilize buffer zones as part of their flood insurance program.
11. How was the 100 foot buffer determined?  
Answer: The 100 foot buffer zone in the by-law mimics the buffer zone used in the state wetlands laws.
12. Are there financial implications on Town or citizens?  
Answer: The only immediate financial implication is the new local filing fees. Longer term: FEMA encourages towns to adopt local wetlands laws and so the entire town may be eligible for lower flood insurance rates in the future.
13. Is there an effect on real estate prices?  
Answer: It is not possible to quantify whether the by-law has an impact on real estate prices. Data does not indicate reduced real estate prices in buffer zones. However, of the 64 coastal communities in the Commonwealth, all but 10 have wetlands by-laws. Real estate values vary by town.
14. What if your property is partially in buffer zone, what do you do?  
Answer: If a portion of your property is in the buffer zone, you may contact the Con Com to help you determine whether you need to file. If a portion of your property is in buffer zone, but the proposed work is not, you do not need file with Conservation. When in doubt, contact the Con Com.
15. How are FEMA floodplains determined? How is this relevant to the local by-law?  
Answer: FEMA determines the extent of floodplain through a computer model that generates elevation data. The elevation data is then used to draw the floodplain lines on a map. The local by-law establishes a 100 foot buffer zone from the FEMA-determined floodplain.  
The by-law relies on the FEMA maps to determine the 100 foot buffer zone. When FEMA's maps change, so will the 100 foot buffer zone.
16. Does the WPB require additional effort or burden on Town employees?  
Answer: No, however the Con Com may experience a slight increase in filings as a result of the new buffer zone. After 18+ months in effect, the Con Com has only received two filings for work in the new 100 foot buffer zone to floodplain.
17. On the map, pink and orange are Massachusetts Law, yellow is local WPB only.  
Answer: Correct
18. What are the benefits to the Town? Are these theoretical or actual benefits?  
Answer: The intent is to protect properties in floodplain from additional flooding by looking at development in areas adjacent to floodplain. The by-law is newly enacted and it will take time to realize results.
19. What should be done if the WPB is not perfect, repeal or refine?  
Answer: This is a matter of personal opinion. However it is not unusual for towns to revise bylaws as time goes on to better suit the town's needs.



20. What is the fee schedule?

Answer: The fee schedule is contained in the by-law regulations. For most projects the filing fee under the by-law is \$55.

See link to fee schedule contained in the by-law regulations.

[http://www.nahant.org/documents/by\\_laws/Nahant%20Wetlands%20Bylaw%20Regulations.pdf](http://www.nahant.org/documents/by_laws/Nahant%20Wetlands%20Bylaw%20Regulations.pdf)

**Comparative Analysis of the Nahant Wetlands Protection By-law and Massachusetts Wetlands Protection Act**

Throughout the document, bold text (with the exception of headings) indicates text added to the bylaw, beyond that contained in the Massachusetts Wetlands Protection Act (WPA). Underlined sections have an explanatory note.

**ARTICLE 17**

**WETLANDS PROTECTION**

**Section 1. Purpose**

The purpose of this by-law is to protect the wetlands, water resources, and adjoining land areas in Nahant by controlling activities deemed by the Conservation Commission likely to have a significant or cumulative effect upon resource area values, including but not limited to the following: public or private water supply, groundwater, flood control, **erosion and sedimentation control**, storm damage prevention including coastal storm flowage, water quality, water pollution control, fisheries, shellfish, land containing shellfish, wildlife habitat, **rare species habitat including rare plant species, agriculture, aquaculture, recreation, and aesthetic values** deemed important to the community (collectively, the “resource area values protected by this by-law”).

This by-law is intended to utilize the Home Rule authority of this municipality to protect additional resource areas, for additional values, with additional standards and procedures stricter than those of the Wetlands Protection Act (G.L. ch. 131, s.40) and Regulations thereunder (310 CMR 10.00).

**Commented [A1]:** To be effective, the bylaw must add to the WPA.

**Section 2. Definitions**

Except as otherwise provided in this by-law or in regulations of the Conservation Commission, the definition of terms in this by-law and the regulations shall be as set forth in the Wetlands Protection Act or anything relative thereto (G.L. ch. 131, s. 40) and Regulations (310 CMR 10.00).

**Commented [A2]:** The bylaw specifically references and incorporates the WPA.

The following definitions shall apply in the interpretation and implementation of this by-law.

Alter – shall include, without limitation, the following activities when undertaken to, upon, within or affecting resource areas protected by the by-law.

**Commented [A3]:** The bylaw extends the areas protected here to include the resource area and the 100 feet adjacent to the wetland.

- a. **Removal, excavations, or dredging of soil sand, gravel, or aggregate materials of any kind.**
- b. Changing of preexisting drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns, or flood retention characteristics.
- c. Drainage or other disturbance of water level or water table.
- d. **Dumping, discharging, or filling with any material which may degrade water quality.**
- e. **Placing of fill or removal of material, which would alter elevation.**
- f. **Driving of piles, erection, or repair of buildings, or structures of any kind.**
- g. **Placing of obstructions or objects in water.**
- h. Destruction of plant life including cutting of trees.
- i. Changing temperature, biochemical oxygen demand, or other physical, biological, or

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chemical characteristics of any waters.

- j. Any activities, changes, or work which may cause or tend to contribute to pollution of any body of water or ground water. Incremental activities, which have, or may have, a cumulative adverse impact on the resource areas protected by this by-law,

Coastal Wetlands – are land under the ocean; coastal beaches; coastal dunes; barrier beaches; coastal banks; rocky intertidal shores; salt marshes; land under salt ponds; land containing shellfish; banks of land under the ocean, ponds, streams, rivers, lakes, or creeks that underlie anadromous/catadromous fish run (“fish run”); land subject to tidal action; and estimated habitats for rare wildlife (for coastal wetlands).

Freshwater Wetlands – are riverine wetlands (including rivers, freshwater banks, streams, creeks; estuaries); marshes; wet meadows; bogs; and swamps that meet *at least one* of the following requirements:

1. Fifty percent or more of the natural vegetative community consists of obligate or facultative wetland plant species, as included or identified in generally accepted scientific or technical publications (such as, the Wetlands Plant List, Northeast Region for the National Wetlands Inventory, U.S. Fish and Wildlife Service).
2. The presence of a hydrologic regime that indicates a wet condition in which the soils are annually saturated.
3. The presence of hydric soils associated with wetlands as defined in Delineating Bordering Vegetated Wetlands, a publication written and distributed by the MA Department of Environmental Protection, Division of Wetlands and Waterways (1995) or as amended.
4. Where the natural vegetative community has been destroyed, as for example by landscaping or agricultural use, or in violation of this by-law, the Commission may determine the area to be a Freshwater Wetland on the basis of annual soil saturation or soil analysis alone or may defer the determination until the natural vegetation has regrown.
5. Further freshwater wetlands are vernal pools; banks; rivers; streams; creeks; reservoirs; lakes; ponds of any size; and quarry pits and motions which may or may not contain any of the above cited vegetative and hydric requirements.

Land Subject to Coastal Storm Flowage – as defined in the MA Wetlands Protection Act Regulations (310 CMR 10.04), means land subject to any inundation caused by coastal storms up to and including that caused by the 100-year storm, surge of record or storm of record, whichever is greater.

Land Subject to Flooding – means land subject to periodic inundation by ground water or surface water.

Land Subject to Tidal Action – as defined in the MA Wetlands Protection Act Regulations (310

**Commented [A4]:** The highlighted activities are in addition to the activities regulated in the WPA, but are consistent with those definitions.

**Commented [A5]:** This definition mimics the WPA, and details additional coastal wetland types.

**Commented [A6]:** This definition expands on the definition in the WPA by detailing what constitutes a wetland.

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CMR 10.04), means land subject to the periodic rise and fall of a coastal water body, including spring tides.

Native Plants – means those plants recognized as native in *The Vascular Plants of Massachusetts: A County Checklist, First Revision (2011)* by Melissa Dow Cullina, Bryan Connolly, Bruce A Sorrie and Paul Somers (a MA Division of Fisheries and Wildlife (Natural Heritage & Endangered Species Program), or as amended.

**Commented [A7]:** Added definition.

Wetlands Resource Area – is any wetland resource area deemed significant to the protection of the values specified in this by-law, and includes any wetland (defined herein) and lands within 100 feet of any wetland.

**Commented [A8]:** As noted above, the bylaw defines wetland resource areas to include the wetland and 100 feet adjacent to it.

Wetland – is any freshwater or coastal wetland; land subject to flooding or inundation by groundwater or surface water; or lands subject to coastal storm flowage or flooding.

**Section 3. Jurisdiction**

Except as permitted by the Conservation Commission or as provided in this by-law, no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter within the following resource areas: any freshwater or coastal wetlands; marshes; wet meadows; bogs; swamps; vernal pools; banks; reservoirs; lakes; ponds of any size; rivers; streams; creeks; beaches; dunes; estuaries; the ocean; lands under water bodies; lands subject to flooding or inundation by groundwater or surface water; lands subject to tidal action, coastal storm flowage, or flooding; and lands within 100 feet of above cited resource areas (collectively the “resource areas protected by this by-law”). Said resource areas shall be protected whether or not they border surface waters.

**Commented [A9]:** The bylaw jurisdiction includes the wetlands and the 100 feet adjacent to the wetlands. The bylaw applies the protections collectively to this resource area. The WPA includes different standards for wetlands and the 100 feet adjacent.

**Section 4. Exemptions and Exceptions**

The applications and permits required by this by-law shall not be required for work performed for normal maintenance or improvement of land in agricultural and aquacultural use as defined by the Wetlands Protection Act regulations at 310 CMR 10.04.

**Commented [A10]:** This exemption refers to the WPA exemption.

The applications and permits required by this by-law shall not be required for mosquito control work conducted by the State Reclamation and Mosquito Control Board (SRMCB) or a Mosquito Control District (MCD) pursuant to G.L. ch. 252.

**Commented [A11]:** This exemption is in addition to those in the WPA.

The applications and permits required by this bylaw shall not be required for maintaining, repairing, or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public to provide electric, gas, water, telephone, telegraph, or other telecommunication services, provided that written notice has been given to the Conservation Commission prior to commencement of work, and provided that the

**Commented [A12]:** This exemption mimics the WPA.

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work conforms to any performance standards and design specifications in regulations adopted by the Conservation Commission.

The applications and permits required by this by-law shall not be required for emergency projects necessary for the protection of the health and safety of the public, provided that the work is to be performed by or has been ordered to be performed by an agency of the Commonwealth or a political subdivision thereof; provided that advance notice, oral or written, has been given to the Conservation Commission prior to commencement of work or within 24 hours after commencement; provided that the Conservation Commission or its agent certifies the work as an emergency project; provided that the work is performed only for the time and place certified by the Conservation Commission for the limited purposes necessary to abate the emergency; and provided that within 21 days of commencement of an emergency project a permit application shall be filed with the Conservation Commission for review as provided by this by-law. Upon failure to meet these and other requirements of the Conservation Commission, the Conservation Commission may, after notice and a public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures.

**Commented [A13]:** This exemption mimics the WPA.

The application and permits required by this by-law shall not be required for the following, to the extent that they take place within 100 feet outside of a wetland (as defined herein):

**Commented [A14]:** Additional exemption for the 100 feet adjacent to the wetland.

- a. **the mowing of existing lawns; planting native trees, shrubs or groundcover; mulching existing trees, shrubs or groundcover; pruning or maintenance of trees; cutting down of trees or planting of turf lawns, unless the extent of the tree cutting or turf lawn planting and/or its proximity to the Wetland Resource Areas protected by this by-law will adversely impact such resource areas;**
- b. the repair or maintenance or improvement of any existing structure or building, unless the extent or proximity of said work to the Wetland Resource Areas protected by this by-law will adversely impact such resource areas; and
- c. any other activity qualifying as a “minor activity” under the regulations promulgated pursuant to the Wetlands Protection Act, G.L. ch. 131, s. 40, at 310 CMR 10.02(2)(b)2.

**Commented [A15]:** Exemptions broader than those in the WPA for activity in the 100 feet adjacent to wetlands are included here and highlighted.

**Commented [A16]:** Exemptions in addition to the WPA for activity in the 100 feet adjacent to wetlands.

**Commented [A17]:** In addition to the exemptions above, the bylaw specifically incorporates all of the minor activity exemptions that appear in the WPA for the 100 feet adjacent to the wetland.

Other than stated in this by-law, the exceptions provided in the Wetlands Protection Act (G.L. ch. 131 s. 40) and regulations (310 CMR 10.00) shall not apply under this by-law.

**Section 5. Applications for Permits and Requests for Determination (RFD)**

Written application shall be filed with the Conservation Commission to perform activities affecting resource areas protected by this by-law. The permit application shall include such

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information and plans as are deemed necessary by the Conservation Commission to describe proposed activities and their effects on the resource areas protected by this by-law. No activities shall commence without receiving and complying with a permit issued pursuant to this by-law.

The Conservation Commission in an appropriate case may accept as the permit application and plans under this by-law the Notice of Intent (NOI) and plans filed under the Wetlands Protection Act on anything relative thereto (G.L. ch. 131, s. 40) and Regulations (310 CMR 10.00).

Any person desiring to know whether or not a proposed activity or an area is subject to this by-law may in writing request a determination from the Conservation Commission. Such a Request for Determination (RFD) shall include information and plans as are deemed necessary by the Conservation Commission.

At the time of a permit application or RFD, or application for a Certificate of Compliance the applicant shall pay a filing fee specified in Regulations of the Conservation Commission. The fee is in addition to that required by the Wetlands Protection Act on anything relative thereto (G.L. ch. 131, s. 40) and Regulations (310 CMR 10.00). The fee shall be deposited in a dedicated account, for use only for wetlands protection activities, from which the Conservation Commission may withdraw funds with the approval of the Board of Selectmen.

Pursuant to G.L. ch. 44, s. 53G and regulations promulgated by the Conservation Commission, the Conservation Commission may impose reasonable fees upon applicants for the purpose of securing outside consultants including engineers, wetlands scientists, wildlife biologists or other experts in order to aid in the review of proposed projects. Refusal to deposit funds to this account may result in the Conservation Commission voting to deny the application and/or project. Such funds shall be deposited with the town treasurer, who shall create an account specifically for this purpose. Expenditures from this account shall be made only in connection with the review of a specific project or projects for which a consultant fee has been collected from the applicant. Any funds remaining in the account after the Conservation Commission has rendered a decision will be returned to the applicant. Additional consultant fees may be requested where the requisite review is more expensive than originally calculated or where new information requires additional consultant services.

**Section 6. Notice and Hearings**

Any person filing a permit application with the Conservation Commission at the same time shall give written notice thereof, by certified mail (return receipt requested) or hand delivered, to all abutters within 100 feet of the property line of the parcel or parcels of land where the proposed activity is to take place at their mailing addresses shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way,

**Commented [A18]:** This provides that filing an NOI or permit application under the WPA serves as the filing under the bylaw.

**Comparative Analysis of the Nahant Wetlands Protection By-law and Massachusetts Wetlands Protection Act**

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including any in another municipality or across a body of water. The notice to abutters shall have enclosed a copy of the permit application or request, with plans, or shall state where copies may be examined and obtained by abutters. The applicant shall obtain a certified list of names and addresses of all persons required to be notified from the Nahant Board of Assessor's Office. The applicant shall file with the Conservation Commission an affidavit of service signed by the person serving the notices, the certified list of names and addresses from the Nahant Board of Assessor's Office and a copy of the notices mailed and delivered. When a person requesting a determination is other than the owner of the property where the activity is proposed, the request (RFD) or permit application (NOI) shall also be mailed or delivered to the owner by the applicant and proof of service shall be filed with the Conservation Commission. The Conservation Commission shall send a copy of the notice of hearing and a copy of the determination or permit to both the owner and applicant.

The Conservation Commission shall conduct a public hearing on any permit application or RFD, with written notice given at the expense of the applicant, five business days prior to the hearing, in a newspaper of general circulation in the municipality.

The Conservation Commission shall commence the public hearing within twenty-one (21) days from receipt of a completed permit application or RFD unless an extension is authorized in writing by the applicant.

The Conservation Commission shall issue its permit or determination in writing within twenty-one (21) days of the close of the public hearing thereon unless an extension is authorized in writing by the applicant.

The Conservation Commission in an appropriate case may combine its hearing under this by-law with the hearing conducted under the Wetlands Protection Act or anything relative thereto (G.L. ch. 131, s. 40) and Regulations (310 CMR 10.00)

**Commented [A19]:** Provides for public hearings under bylaw and WPA to be combined.

The Conservation Commission shall have the authority to continue the hearing to a certain date announced at the hearing, for reasons stated at the hearing, which may include receipt of additional information from the applicant or others deemed necessary by the Conservation Commission in its discretion, or comments and recommendations of other boards and officials.

**Section 7. Areas of Rare & Endangered Species Habitat and Priority Natural Vegetation Community**

Any disturbance of areas where rare and endangered species habitats or priority natural vegetation communities are documented either by the Natural Heritage & Endangered Species Program or by observation, including anadromous and catadromous fish runs, shall require notification to the MA Division of Fisheries & Wildlife. For any project proposed within such an area, the Conservation

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Commission shall require that the applicant submit a copy of the RFD and/or the NOI to the MA Division of Fisheries & Wildlife, at the same time as the RFD and/or NOI is submitted to the Conservation Commission. The applicant shall submit a copy of any response received from the MA Division of Fisheries & Wildlife to the Conservation Commission.

The Conservation Commission may require a wildlife habitat study of the project resource area, to be paid for by the applicant, whenever it deems appropriate, regardless of the amount or type of alteration proposed. The decision shall be based upon the Conservation Commission's estimation of the importance of the habitat area or priority natural vegetation community considering (but not limited to) such factors as proximity to other areas suitable for wildlife, importance of wildlife "corridors" in the area, or possible presence of rare species in the area. The work shall be performed by an individual who at least meets the qualifications set out in the wildlife habitat section of the Wetlands Protection Act Regulations (310 CMR 10.60).

**Commented [A20]:** This provision is an extension of the WPA.

**Section 8. Coordination with Other Boards**

Any person filing a permit application, RFD, or NOI with the Conservation Commission shall, as required in the discretion of the Conservation Commission, provide a copy thereof to the Board of Selectmen, Planning Board, Board of Appeals, Public Health Department, Harbormaster, Public Works Department, or Building Inspector.

**Section 9. Permits and Conditions**

If the Conservation Commission, after a public hearing, determines that the activities which are subject to the permit application or the land and water uses which will result therefrom are likely to have a significant individual or cumulative effect upon the resource area values protected by this by-law, the Conservation Commission, within twenty-one (21) days of the close of the hearing, shall issue or deny a permit for the activities requested. If it issues a permit, the commission shall impose conditions which the Conservation Commission deems necessary or desirable to protect those values, and all activities shall be done in accordance with those conditions. The Conservation Commission shall take into account the cumulative adverse effects of loss, degradations, isolation, and replication of protected resource areas throughout the community and the watershed, resulting from past activities, permitted and exempt, and foreseeable future activities.

**Commented [A21]:** This provision is in addition to the WPA.

The Conservation Commission is empowered to deny a permit for failure to meet the requirements of this by-law; for failure to submit necessary information and plans requested by the Conservation Commission; for failure to meet the design specifications, performance standards, and other requirements in regulations of the Conservation Commission; for failure to avoid or prevent unacceptable significant or cumulative effects upon the resource area values



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protected by this by-law; and where no conditions are adequate to protect those values. Due consideration shall be given to any demonstrated hardship on the applicant by reason of denial, as presented at the public hearing.

To prevent wetlands loss, the Conservation Commission shall require applicants to avoid wetlands alteration wherever feasible; shall minimize wetlands alteration; and, where alteration is unavoidable, shall require mitigation. The Conservation Commission may authorize or require replication of wetlands as a form of mitigation, but only with adequate security, professional design, and monitoring to assure success, because of the high likelihood of failure of replication. Lands adjacent to resource areas, are presumed important to the protection of these resources because activities undertaken in close proximity to resource areas have a high likelihood of adverse impact upon the wetland or other resource, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of the activities.

These adverse impacts from construction and use can include, without limitation, erosion, siltation, loss of groundwater recharge, poor water quality and loss of wildlife habitat. The Conservation Commission therefore may require that the applicant maintain a strip of continuous, undisturbed vegetative cover within, or in some instances up to the full extent of the area within 100 feet outside of any wetland.

A permit shall expire three years from the date of issuance. Notwithstanding the above, the Conservation Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work. Provided that annual notification of time and location of work is given to the Conservation Commission, any permit may be renewed once for an additional one-year period, provided that a request for a renewal is received in writing by the Conservation Commission prior to expiration. Notwithstanding the above, a permit may contain requirements which shall be enforceable for a stated number of years, indefinitely, or until permanent protection is in place, and shall apply to all owners of the land.

For good cause the Conservation Commission may revoke or modify a permit or determination issued under this by-law after notice to the holder of the permit or determination, notice to the public, abutters, and town boards, pursuant to section 6 above, and a public hearing.

The Conservation Commission in an appropriate case may combine the permit or determination issued under this by-law with the Order of Conditions or Determination of Applicability issued under the Wetlands Protection Act on anything relative thereto (G.L. ch. 131, s. 40) and Regulations (310 CMR 10.00).

No work proposed in any permit application shall be undertaken until the permit issued by the Conservation Commission with respect to such work has been recorded in the Registry of Deeds

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or, if the land affected is registered land, in the Registry section of the Land Court for the district wherein the land lies, and until the holder of the permit certifies in writing to the Conservation Commission that the permit has been recorded.

**Section 10. Regulations**

After a public notice and public hearing, the Conservation Commission shall promulgate rules and regulations to effectuate the purposes of this by-law effective when voted and filed with the Town Clerk. Failure by the Conservation Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act on anything relative thereto to suspend or invalidate the effect of this by-law.

The Conservation Commission may establish, in its regulations, design specifications, performance standards, and other measures and safeguards, including setbacks, no-disturb areas, no-build areas, and other work limits for protection of wetland resource areas, including without limitation strips of continuous, undisturbed vegetative cover. At a minimum these regulations shall define key terms in this by-law not inconsistent with the by-law and procedures governing the amount of filing fees.

**Section 11. Security**

As part of a permit issued under this by-law, in addition to any security required by any other municipal or state board, agency, or official the Conservation Commission may require that the performance and observance of the conditions imposed thereunder (including conditions requiring mitigation work) be secured wholly or in part by one or more of the methods described below:

- a. By a proper bond or deposit of money or negotiable securities or other undertaking of financial responsibility sufficient in the opinion of the Conservation Commission, to be released in whole or in part upon issuance of a Certificate of Compliance for work performed pursuant to the permit.
- b. By accepting a conservation restriction, easement, or other covenant enforceable in a court of law, executed and duly recorded by the owner of record, running with the land to the benefit of this municipality whereby the permit conditions shall be performed and observed before any lot may be conveyed other than by mortgage deed. This method shall be used only with the consent of the applicant.

**Section 12. Compliance**

No person shall remove, fill, dredge, build upon, degrade, or otherwise alter resource areas protected by this by-law, or cause, suffer, or allow such activity, or leave in place unauthorized fill or otherwise fail to restore illegally altered land to its original condition, or fail to comply with

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a permit or an enforcement order issued pursuant to this by-law.

The Conservation Commission, its agents, officers, and employees, may enter upon the land where the proposed work is to be done in response to a request for a prior determination, or for the purpose of carrying out its duties under this by-law, and may, or cause to be made such examination or survey as deemed necessary.

The Conservation Commission shall have the authority to enforce this by-law, its regulation, and permits issued thereunder by letters, phone calls, electronic communication and other informal methods, violation notices, non-criminal citations under G.L. ch. 40, s. 21D, and civil and criminal court actions. Any person who violated provisions of this by-law may be ordered to restore the property to its original condition and take other action deemed necessary to remedy such violations, or may be fined, or both.

Upon request of the Conservation Commission, the Town Counsel may take legal action for enforcement under civil law. Upon request of the Conservation Commission, the Chief of Police may take legal action for enforcement under criminal law.

Municipal boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Conservation Commission in enforcement, including without limitation, the authority to issue orders to stop work.

Any person who violates any provision of this by-law, or regulations, or permits issued there under, shall be punished by a fine of not more than \$300.00 each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the by-law, regulations, or permits violated shall constitute a separate offense.

As an alternative to criminal prosecution in a specific case, the Conservation Commission may issue citations with specific penalties pursuant to the non-criminal disposition procedure set forth in G.L. ch. 40, s. 21D, which has been adopted by the Town in Article XIII of Nahant's Police by-Law.

**Section 13. Burden of Proof**

The applicant for a permit shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the permit application will not have unacceptable significant or cumulative effect upon the resource area values protected by this by-law. Failure to provide adequate evidence to the Conservation Commission supporting this burden shall be sufficient cause for the Conservation Commission to deny a permit or grant a permit with conditions.

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**Section 14. Appeals**

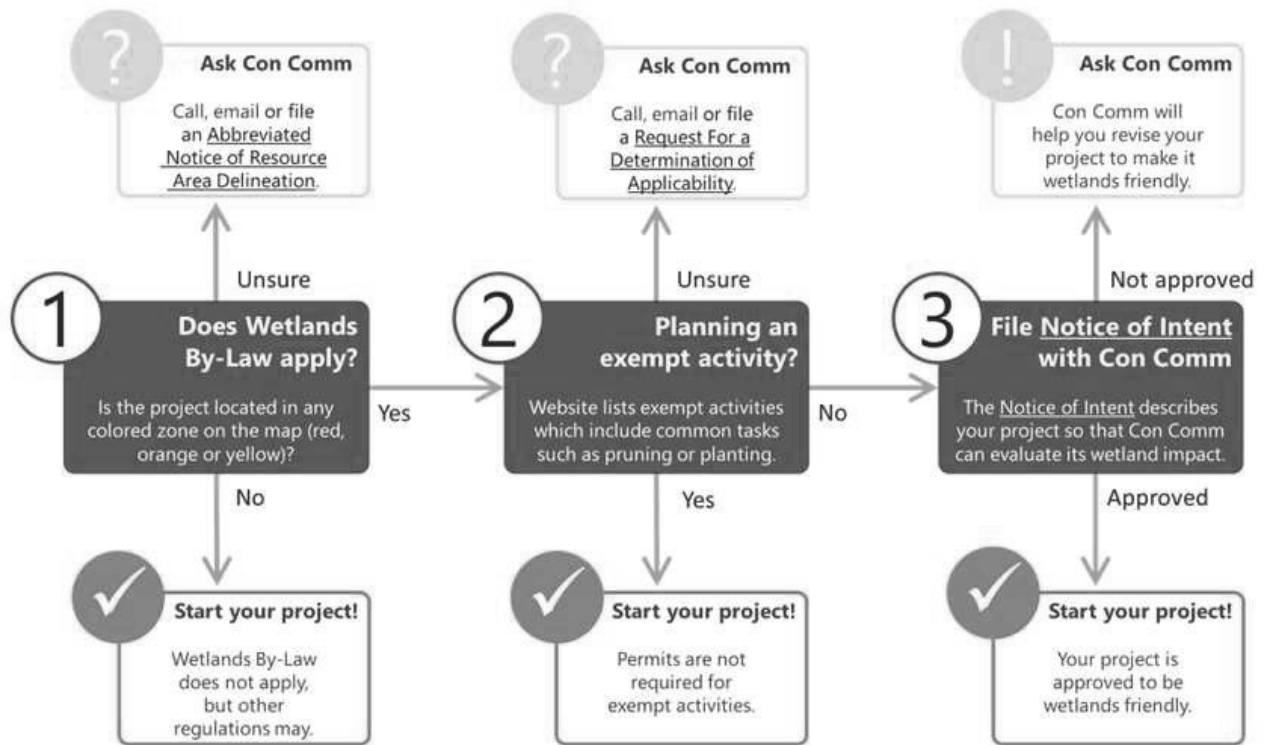
A decision of the Conservation Commission shall be reviewable in the Superior court in accordance with G.L. ch. 249, s. 4.

**Commented [A22]:** Appeal to the Superior Court is required by statute.

**Section 15. Severability**

The invalidity of any section or provision of this by-law shall not invalidate any other section or provision thereof, nor shall it invalidate any permit or determination, which previously has been issued.

## Homeowner's Guide to the Nahant Wetland Protection By-Law



Notes:

1. Find resources here: [http://www.nahant.org/committees/conservation.shtml#gpm1\\_5](http://www.nahant.org/committees/conservation.shtml#gpm1_5)
2. Contact the Conservation Commission at this email address: [Conservation@Nahant.org](mailto:Conservation@Nahant.org)
3. To file forms simply drop them off at Town Hall

Figure 1. Homeowners Guide to Nahant Wetland Protection By-Law Flowchart

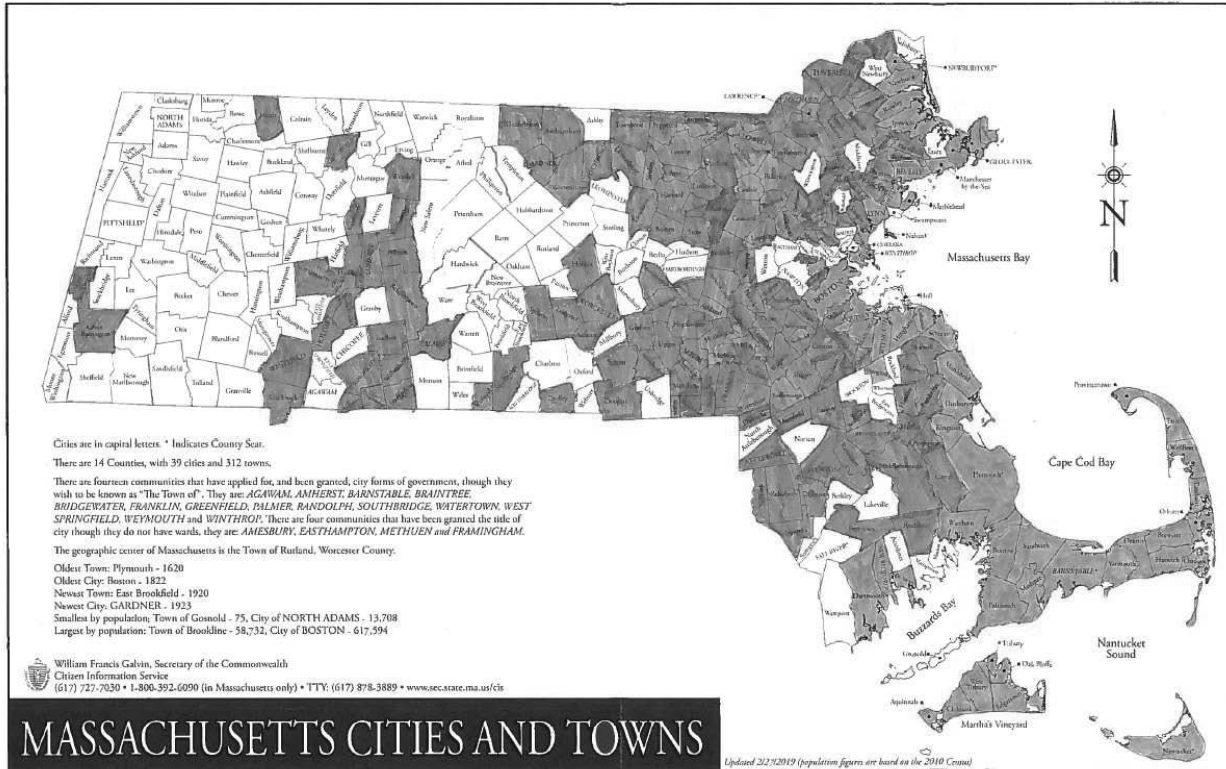


Figure 2. Massachusetts communities with local wetlands protection by-laws. Pink are Massachusetts coastal communities with local wetlands protection by-laws. Green are non-coastal communities with local wetlands protection by-laws.

## **Appendix 11**

### **Nahant Tree By-Law References**

The proposed Nahant Tree By-law and “Tree City” information are included.

## MA Laws Chapter 87 Shade Trees Document

Including New Nahant Tree By-Law in *italics* 02/27/2020

### Section 1: Public shade trees; definition

Section 1. All trees within a public way or on the boundaries thereof including trees planted in accordance with the provisions of section 7 shall be public shade trees; and when it appears in any proceeding in which the ownership of or rights in a tree are material to the issue, that, from length of time or otherwise, the boundaries of the highway cannot be made certain by records or monuments, and that for that reason it is doubtful whether the tree is within the highway, it shall be taken to be within the highway and to be public property until the contrary is shown.

#### *1a Definition of Public Shade Trees*

*In addition to the definition recited in M.G.L. c. 87, § 1, Public Shade Trees are herein defined as trees on land lying between property lines on either side of all streets, avenues or ways within the Town and in public parks having individual names, and all areas owned by the Town, or to which the public has free access as a park.*

#### *1b Intent and purpose of Nahant Tree By-Laws*

*The preservation of the tree canopy and the planting of replacement trees is intended to enhance the quality of life and the environment of the Town; to reduce energy consumption; to protect air quality; to provide protection from glare and heat; to baffle noise; to reduce topsoil erosion and stormwater runoff; to preserve and enhance habitat for wildlife; to protect and increase property values; to combat climate change through carbon sequestration; to provide natural privacy for neighbors; to enhance the overall appearance of the Town; and to acknowledge the intrinsic value of the mature trees within our community.*

### Section 2: Powers of tree wardens

Section 2. The tree warden of a town may appoint and remove deputy tree wardens. He and they shall receive such compensation as the town determines or, in default thereof, as the selectmen allow. He shall have the care and control of all public shade trees, shrubs and growths in the town, except those within a state highway, and those in public parks or open places under the jurisdiction of the park commissioners, and shall have care and control of the latter, if so requested in writing by the park commissioners, and shall enforce all the provisions of law for the preservation of such trees, shrubs and growths. He shall expend all money appropriated for the setting out and maintenance of such trees, shrubs and growths, and no tree shall be planted within a public way without the approval of the tree warden, and in towns until a location therefor has been obtained from the selectmen or road commissioners. He may make regulations for the care and preservation of public shade trees and establish fines and forfeitures of not more than twenty dollars in any one case for violation thereof; which, when posted in one or more public places, and, in towns, when approved by the selectmen, shall have the effect of town by-laws.



## MA Laws Chapter 87 Shade Trees Document

Including New Nahant Tree By-Law in *italics* 02/27/2020

### *2a Creation of a Nahant Tree Task Force*

*There is hereby created and established a Nahant Tree Task Force which shall consist of five volunteer residents who will be named by the Superintendent of the Department of Public Works to serve him for the purpose of developing and/or updating annually an inventory of all Public Shade Trees along with a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. This written plan shall be presented every year to the Superintendent of the Department of Public Works and to the Tree Warden for their convenience.*

### Section 3: Cutting of public shade trees; public hearing; damages to fee owner

Section 3. Except as provided by section five, public shade trees shall not be cut, trimmed or removed, in whole or in part, by any person other than the tree warden or his deputy, even if he be the owner of the fee in the land on which such tree is situated, except upon a permit in writing from said tree warden, nor shall they be cut down or removed by the tree warden or his deputy or other person without a public hearing and said tree warden or his deputy shall cause a notice of the time and place of such hearing thereof, which shall identify the size, type and location of the shade tree or trees to be cut down or removed, to be posted in two or more public places in the town and upon the tree at least seven days before such hearing and published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than seven days before the day of the hearing or if no such local newspaper exists then in accordance with the provisions of section six of chapter four; provided, however, that when a public hearing must be held under the provisions of this section and under section fifteen C of chapter forty prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the tree warden and the planning board, or if there is no planning board, the selectmen of a town or the city council of a city, and notice of such consolidated public hearing shall be given by the tree warden or his deputy as provided herein. Any person injured in his property by the action of the officers in charge of the public shade trees as to the trimming, cutting, removal or retention of any such tree, or as to the amount awarded to him for the same, may recover the damages, if any, which he has sustained, from the town under chapter seventy-nine.

### Section 4: Cutting down or removing public shade trees; approval of selectmen or mayor

Section 4. Tree wardens shall not cut down or remove or grant a permit for the cutting down or removal of a public shade tree if, at or before a public hearing as provided in the preceding section, objection in writing is made by one or more persons, unless such cutting or removal or permit to cut or remove is approved by the selectmen or by the mayor.

### Section 5: Cutting down, trimming or removing bushes and small trees

Section 5. Tree wardens and their deputies, but no other person, may, without a hearing, trim, cut down or remove trees, less than one and one half inches in diameter one foot from the ground, and bushes, standing in public ways; and, if ordered by the mayor, selectmen, road commissioners or highway surveyor, shall trim or cut down trees and bushes, if the same shall be deemed to obstruct, endanger, hinder or incommode persons traveling thereon or to obstruct buildings being moved pursuant to the provisions of section

## MA Laws Chapter 87 Shade Trees Document

### Including New Nahant Tree By-Law in *italics* 02/27/2020

eighteen of chapter eighty-five. Nothing contained in this chapter shall prevent the trimming, cutting or removal of any tree which endangers persons traveling on a highway, or the removal of any tree, if so ordered by the proper officers for the purpose of widening the highway and nothing herein contained shall interfere with the suppression of pests declared to be public nuisances by section eleven of chapter one hundred and thirty-two, including the Dutch elm disease.

### Section 6: Penalty for violation of Sec. 3, 4 or 5

Section 6. Violations of any provision of the three preceding sections shall be punished by forfeiture of not more than five hundred dollars to the use of the city or town.

### Section 7: Planting of shade trees

Section 7. Cities and towns may appropriate money for the purpose of acquiring and planting shade trees in public ways. The tree warden, or a private organization acting with the written consent of the tree warden, may plant shade trees acquired with public or private funds in a public way, or if he deems it expedient, upon adjoining land at a distance not exceeding 20 feet from the layout of such public way for the purpose of improving, protecting, shading or ornamenting the same; provided, however, that the written consent of the owner of such adjoining land shall first be obtained.

#### *7a Spacing of Public Shade Trees*

*When considering the planting of Public Shade Trees, the spacing of Public Shade Trees will be in accordance with the following size classes: small trees no taller than 30 feet, medium trees 30-45 feet, and large trees taller than 45 feet. No trees may be planted closer together than the following: small trees, 30 feet; medium trees, 40 feet; large trees, 50 feet unless otherwise approved by the Tree Warden. No Public Shade Tree shall be planted closer than 10 feet of any fire hydrant.*

#### *7b Tree Topping*

*Except as authorized by the Tree Warden, it shall be unlawful as a normal practice for any person, firm, or Town department to top any Public Shade Tree or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from these By-Laws.*

#### *7c Removal of Stumps*

*Where practical, all stumps of public shade trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground. Where full stump removal is not practical, the stump will be cut square the ground, no greater than 4" above the ground surface. The practicality of stump removal will be determined by the Tree Warden.*

## MA Laws Chapter 87 Shade Trees Document

### Including New Nahant Tree By-Law in *italics* 02/27/2020

#### Section 8: Trees on state highways

Section 8. The department of highways, in this chapter called the department, shall have the care and control of all trees, shrubs and growths within state highways, and may trim, cut or remove such trees, shrubs and growths, or license the trimming, cutting or removal thereof. No such tree, shrub or other growth shall be trimmed, cut or removed by any person other than an agent or employee of the department, even if he be the owner of the fee in the land on which such tree, shrub or growth is situated, except upon a permit in writing from the department. Any person injured in his property by the action of the department as to the trimming, cutting, removal or retention of any such tree, shrub or other growth, may recover the damages, if any, which he has sustained, from the commonwealth under chapter seventy-nine.

#### Section 9: Signs or marks on shade trees

Section 9. Whoever affixes to a tree in a public way or place a notice, sign, advertisement or other thing, whether in writing or otherwise, or cuts, paints or marks such tree, except for the purpose of protecting it or the public and under a written permit from the officer having the charge of such trees in a city or from the tree warden in a town, or from the department in the case of a state highway, shall be punished by a fine of not more than fifty dollars. Tree wardens shall enforce the provisions of this section; but if a tree warden fails to act in the case of a state highway within thirty days after the receipt by him of a complaint in writing from the department, the department may proceed to enforce this section.

#### Section 10: Injury to trees on state highways

Section 10. Whoever without authority trims, cuts down or removes a tree, shrub or growth, within a state highway or maliciously injures, defaces or destroys any such tree, shrub or growth shall be punished by imprisonment for not more than six months, or by a fine of not more than five hundred dollars to the use of the commonwealth.

#### Section 11: Injury to trees of another person

Section 11. Whoever willfully, maliciously or wantonly cuts, destroys or injures a tree, shrub or growth which is not his own, standing for any useful purpose, shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.

#### Section 12: Injury to shrubs, trees or fixtures

Section 12. Whoever wantonly injures, defaces or destroys a shrub, plant or tree, or fixture of ornament or utility, in a public way or place or in any public enclosure, or negligently or willfully suffers an animal driven by or for him or belonging to him to injure, deface or destroy such shrub, plant, tree or fixture, shall be punished by a fine of not more than five hundred dollars, and shall in addition thereto be liable to the town or any person for all damages to its or his interest in said shrub, plant, tree or fixture caused by such act. Whoever by any other means negligently or willfully injures, defaces or destroys such a shrub, plant, tree or fixture shall likewise be liable to the town or any person for all damages to its or his interest in said shrub, plant, tree or fixture caused by such act.

## MA Laws Chapter 87 Shade Trees Document

### Including New Nahant Tree By-Law in *italics* 02/27/2020

#### Section 13: Powers and duties of tree wardens in cities

Section 13. The powers and duties conferred and imposed upon tree wardens in towns by this chapter shall be exercised and performed in cities by the officers charged with the care of shade trees within the limits of the highway.

#### Section 14: Performance of maintenance and tree removal work by utility submission and approval of vegetation management and hazard tree removal plans; submission of utility tree maintenance standards and specifications.

Section 14. (a) For the purposes of this section, "utility" shall mean a company engaging in the distribution of electricity or owning, operating or controlling distribution facilities; provided, however, that a distribution company shall not include any entity which owns or operates plant or equipment used to produce electricity, steam and chilled water, or an affiliate engaged solely in the provision of such electricity, steam and chilled water, where the electricity produced by such entity or its affiliate is primarily for the benefit of hospitals and nonprofit educational institutions, and where such plant or equipment was in operation before January 1, 1986.

(b) A utility may, or at the request of the tree warden shall, submit an annual vegetation management plan describing the maintenance work to be performed in a municipality. The plan shall include, but not be limited to, a map of the circuits where the maintenance work will be performed, the tree maintenance standards that will be followed and any foreseeable variance from those standards. The plan shall comply with local ordinances and regulations. The plan shall be submitted not less than 90 days prior to the date the utility proposes to begin its maintenance work. Upon receipt of the plan, the tree warden, or a designee thereof, shall notify the utility within 60 days, in writing, whether or not the plan has been approved. Upon receipt of written notification that the plan has been approved, or approved with modifications agreed to by both parties, a utility shall be exempt from the requirements of sections 3 and 5 for the work described in the approved plan.

(c) A utility may, or at the request of the tree warden shall, submit an annual hazard tree removal plan describing hazard tree removal work to be performed in a municipality. The plan shall include, but not be limited to, the specific trees that the utility has identified as a hazard and proposes to remove. The plan shall comply with local ordinances and regulations. The plan shall be submitted not less than 90 days prior to the date a utility proposes to begin tree removal. Upon receipt of the plan, the tree warden, or a designee thereof, shall notify the utility within 60 days, in writing, whether or not the plan has been approved. Upon receipt of written notification that the plan has been approved, or approved with modifications agreed to by both parties, the utility shall be exempt from the requirements of sections 3 and 5 for the work described in the approved plan.

(d) If a tree warden fails to notify a utility whether a vegetation management plan or hazard tree removal plan has been approved within 60 days of the warden's receipt of the plan, the utility may request a decision by the selectmen, mayor or chief administrative officer of the municipality.

(e) Notwithstanding approval of a vegetation management plan or hazard tree removal plan, a utility shall notify a tree warden, in writing, not less than 14 days prior to beginning maintenance work or tree removal work in a municipality. If a local ordinance or regulation requires more than 14 days' notice, the utility shall comply with such ordinance or regulation. The notice provided shall include the date on which the utility will begin work and the phone number of the person or persons supervising the work in the field.

**MA Laws Chapter 87 Shade Trees Document**

**Including New Nahant Tree By-Law in *italics* 02/27/2020**

(f) The utility shall provide to the state forester, or such other person or agency as designated by the secretary of energy and environmental affairs, a copy of any annual vegetation management plan or hazard tree removal plan and a copy of the approval or denial letter from the applicable tree warden. The state forester, or such other person or agency as designated by the secretary of energy and environmental affairs, shall provide the utility an acknowledgment of receipt of such plans and determinations in any manner approved by said secretary.

(g) The utility shall annually submit to the state forester's office a set of utility tree maintenance standards and specifications and evidence that these standards have been adopted by the utility company. These standards and specifications shall conform with: American National Standard Institute A-300; American National Standard Institute Z-133; and National Electric Safety Code 218 Tree Trimming and OSHA 29 CFR Part 1910 Line Clearance Tree Trimming Operations. The state forester, or such other person or agency as designated by the secretary of energy and environmental affairs, shall make these standards and specifications available to the public on their websites or other accessible locations and shall accept and maintain a publicly accessible record of comments received relative to the standards and specifications and shall transmit the comments to the utilities.

## TREE CITY USA IN MASSACHUSETTS

**TREE CITY USA** is an awards program that provides public attention and national recognition for local commitments to community trees and forests.





**Any City or Town Can Be a Tree City USA.** A Tree City USA is a community of any size that has been formally recognized for its commitment to plant, maintain, and manage tree resources. Tree City USA communities range in population from less than 100 to the millions, all over the country.

The Tree City USA designation brings official recognition from the Massachusetts Department of Conservation and Recreation (DCR) and the Arbor Day Foundation. More importantly, it brings recognition from your constituents that your city or town has established trees as a priority and has made good decisions about the management of these resources. It fosters a sense of pride and good will toward the appearance and livability of your community.



### Earning the Title

Being awarded the Tree City USA designation requires that communities meet four standards defined by the Arbor Day Foundation. They are:

-  **A Tree Board or Department:** This can be a forestry department, a tree warden, or a volunteer tree board or committee that oversees the community's annual work plan.
-  **A Tree Care Ordinance:** An ordinance will designate the tree board or department and determine policies for planting, maintaining, and removing public trees. Mass. Gen. Laws Chapter 87 will be accepted if it has been adopted by the municipality.
-  **Minimum Community Forestry Annual Budget of \$2 per Capita:** All work related to the management of community trees (e.g., planting, tree removal, and maintenance), as well as administrative and equipment expenses and in-kind services are allowable in this budget.
-  **Arbor Day Observance and Proclamation:** Arbor Day observances, usually on or around the last Friday in April, give civic leaders, residents, and children occasion to plant trees and celebrate the gifts community trees offer all year long. An official Mayoral or Select Board proclamation is also required.





## Massachusetts Urban & Community Forestry Program

# TREE CITY USA IN MASSACHUSETTS

### We Can Help You Become a Tree City USA



- If your community is just beginning to develop a community forestry program, we can help you and your tree committee assess your resources and prioritize your needs. Such planning activities can help build constituencies leading to Tree City USA designation.
- Our Challenge Grants can provide support for the development of management plans, tree committees, or tree surveys and inventories.
- We can provide sample ordinances, model proclamations, and additional information to help you design your own program that meets Tree City USA standards.

The DCR Urban and Community Forestry Program administers the Tree City USA program in Massachusetts for the Arbor Day Foundation. We accept and review all applications. DCR also awards the Tree City USA honors to municipal leaders.

### Perks and Honors

A number of promotional items are awarded to Tree City USA communities, including a flag, road signs, and a plaque. Displayed proudly around town, these will remind residents and visitors that you have earned the honor of Tree City USA. The DCR Urban and Community Forestry Program holds an annual forum and ceremony to present awards and distribute promotional materials. Presentations of awards can also be done in your community if you wish.

***In addition, the Urban and Community Forestry Program at the Department Conservation and Recreation gives preference to grant applicants that are from Tree City USA communities.***

For those accomplished communities that have significantly surpassed basic Tree City USA standards, the Growth Award recognizes exceptional growth and imagination in community forestry.

### About Applying

Applications are due annually on December 31, but don't wait to prepare the application. Many communities will work a year or more before becoming eligible. Contact the Urban and Community Forestry Program for guidance.

**Bureau of Forestry  
Urban & Community Forestry Program  
Massachusetts Department of Conservation and Recreation**  
251 Causeway Street, Suite 600, Boston, MA 02114  
[www.mass.gov/dcr/urban-and-community-forestry](http://www.mass.gov/dcr/urban-and-community-forestry)

In Partnership with:  
USDA Forest Service and  
the Massachusetts Tree Wardens' &  
Foresters' Association



The Massachusetts Department of Conservation and Recreation prohibits discrimination in employment on the basis of race, color, creed, religion, national origin, ethnicity, gender, gender identity or expression, age, sexual orientation, Vietnam Era Veteran status, or disability.

**APPENDIX 12**

**Town of Nahant  
Report of the Community Preservation Committee**



# TOWN OF NAHANT

## COMMUNITY PRESERVATION COMMITTEE

### Community Preservation Report — Spring 2021

#### **An Introduction to the Community Preservation Act in Nahant**

The Community Preservation Act (the “CPA” or the “Act”, M.G.L. 44B) allows any city or Town in The Commonwealth of Massachusetts to adopt a property tax surcharge with revenues from this surcharge (and state matching funds) devoted to open space, historic preservation, affordable housing, and recreation.. The first three of these areas must receive an allocation of at least 10% of each year's revenues. Open Space includes land for recreation, and as of July 2012 revenues may be appropriated for rehabilitation and capital improvements on land designated for recreational use.

Nahant was the sixty-second (62<sup>nd</sup>) community to accept the CPA at a Special Town Election in April 2004. The Act passed by a vote of 374 - 270. This action added a 3% surcharge to Town property taxes, with an exemption for the first \$100,000 of assessed value and with a further exemption for property owners who would qualify for low-income housing or low or moderate-income senior housing. The surcharge went into effect at the beginning of Fiscal Year 2005 (i.e. July 1, 2004-June 30, 2005). 175 communities have adopted CPA, 50% of the Commonwealth's cities and towns.

Consistent with the terms of the CPA and with a bylaw adopted at Nahant's 2004 Annual Town Meeting, a Community Preservation Committee (the “CPC”) was formed to study and recommend how Nahant's CPA revenues should be spent. One of the CPC's first acts was to develop a Mission Statement.

#### **Mission Statement**

The primary mission of the Community Preservation Committee (CPC) is to protect and enhance Nahant's unique character as a coastal residential community by facilitating efforts to preserve historic places and structures, to retain and protect open spaces, to increase and/or develop lands available for recreational use and to seek creative solutions to the problem of affordable housing in Nahant.

The CPC's process is consistent with the terms of the CPA. The Committee was formed to study and recommend to Town Meeting plans and proposals regarding the expenditure of Nahant's CPA revenues. The committee serves as a reliable, predictable and flexible clearing house for community preservation ideas, plans and activities recognizing its responsibility to represent the common interests and greater good of the Town.

In line with this, the CPC views itself as facilitator, advisor and agent for funding recommendations. Town departments, civic organizations and property owners will be solicited for funding proposals. The committee, in turn, will provide plans and recommendations to the Town Meeting incorporating ideas and proposals that appear to best serve Nahant's community preservation needs.

#### **This Year's Committee**

This report represents two years of activity for FY2021 and FY2022 as the 2021 Town Meeting did not consider the FY21 CPC recommendations in consideration of COVID and the goal of only dealing with critical municipal issues at the September 2021 Town Meeting. Therefore the upcoming Town Meeting scheduled for May 15, 2021, will address FY21 and FY22 CPC grant recommendations.

The CPC for 2020, appointed by the Selectmen, currently consisted of three at-large members (Paul Spirn, Ellen Goldberg, Austin Antrim) and representatives of the Town's Conservation Commission (Ellen Steeves), Historical Commission (Lynne Spencer), Housing Authority (Mickey Long), Planning Board (Mirjana Maksimoic), Open Space Committee (Dana Sheehan).

For 2021, Nancy Cantelmo joined the Committee as a representative of Open Space as Dana has been appointed to the Finance and Advisory Committee. There is one vacancy, which in the past has been represented by a member of the Recreation Committee Lynne Spencer was elected Chair in 2018, succeeding Carl Easton who served as chair with dedication through December 31, 2017. Paul Spirn serves as Vice Chair/Clerk while Ellen Goldberg serves as financial administrator for the Committee.

In preparation for the 2020 Annual Town Meeting, the CPC held numerous meetings, first to review and analyze the Town's resources as well as to identify the needs and possibilities for community preservation activities to enhance open space, affordable housing, historic preservation and recreation in the Town (described in Section III) and then to develop its

recommendations for projects to be funded. This year's recommendations are listed in the last section of this report. The Committee's recommendations will be presented to the Annual Town Meeting on ??? for approval.

This document, the *Community Preservation Report Spring 2020*, is a summary of the CPC's work during the eleven month period following the 2019 Annual Town Meeting. It contains the assessment of future needs, the process by which projects are evaluated, a history of appropriations (Appendix A), an update on previously funded projects (Appendix B), the Committee FY' 19 recommendations and estimates of impacts on reserves (Appendix C), and Bond Recommendations (Appendix D).

We are currently in the seventeenth (18th) Fiscal Year since the acceptance of the Community Preservation Act by the Town of Nahant in 2004 and at this spring's Annual Town Meeting we will be making recommendations to appropriate the anticipated Fiscal Year 2022 CPA funds which will mark the eighteenth (18th) Fiscal Year of the CPA for Nahant. The following report is not typical of past annual status reports. In observation of the stringent public health requirements engendered by COVID 19 the Board of Selectmen and town administration elected to only address critical issues in the 2020 Town Meeting, hence the FY21 Community Preservation recommendations for funding were not presented to the 2020 Town Meeting. The following summary therefore represent CPA activity for Nahant through the FY2020 approved articles for funding.

# STATUS OF CPA FUNDING AND PROJECTS

## Spring 2021

### The Surtax and State Matching Funds

Since adoption and through the current fiscal year, FY'20, the Town will have raised through its CPA surtax the sum of \$3,160,871.93.

This past November (2020) the Town of Nahant received a **79%** match from the State CPA Fund to conclude FY 21. This latest reimbursement rate was slightly less than our average over the years (65%) from inception through FY 2020 for which we have actual numbers, while FY 22 is still estimated. In other words, the **Town has enjoyed a most favorable sixty-five percent return** on its monies raised by the surtax during the fifteen years of Community Preservation in Nahant.

The Source of Community Preservation Funds is set forth below. Inclusive of matches provided by applicants, and exclusive of borrowings and through the coming fiscal year, the CPA will have provided the Town with \$6,607,976 to use for Community Preservation Act purposes.

### Source of Nahant's CPA Funds

	Nahant Surtax	State Match	Interest	Initial Principal Amount of Outstanding Borrowings	Total Funds
<b>FY 05</b>	\$128,654.25		\$880.92		<b>\$129,535.17</b>
<b>FY 06</b>	\$135,637.19	\$129,606.00	\$4,577.99		<b>\$269,821.18</b>
<b>FY 07</b>	\$142,738.27	\$137,073.00	\$21,348.54	\$450,000.00	<b>\$751,159.81</b>
<b>FY 08</b>	\$169,723.82	\$142,839.00	\$22,820.51		<b>\$335,383.33</b>
<b>FY 09</b>	\$169,296.31	\$171,436.00	\$8,461.80	\$625,000.00	<b>\$974,194.11</b>
<b>FY 10</b>	\$166,560.64	\$130,283.00	\$1,488.04		<b>\$298,331.68</b>
<b>FY 11</b>	\$168,141.27	\$101,543.00	\$1,280.31		<b>\$270,964.58</b>
<b>FY 12</b>	\$172,137.48	\$101,495.00	\$622.12		<b>\$274,254.60</b>
<b>FY 13</b>	\$175,869.40	\$103,780.00	\$591.78	\$150,000.00	<b>\$430,241.18</b>
<b>FY 14</b>	\$179,599.76	\$176,692.00	\$687.08		<b>\$356,978.81</b>
<b>FY 15</b>	\$187,852.49	\$131,607.00	\$882.09		<b>\$320,341.58</b>
<b>FY 16</b>	\$196,926.35	\$127,418.00	\$906.24		<b>\$325,250.59</b>
<b>FY 17</b>	\$207,429.05	\$93,525.00	\$2,115.77		<b>\$303,069.82</b>
<b>FY 18</b>	\$207,719.79	\$80,951.00	\$5,043.51		<b>\$292,714.30</b>
<b>FY 19</b>	\$228,738.77	\$104,916.00	\$6,856.73		<b>\$340,511.50</b>
<b>FY 20</b>	\$249,909.09	\$135,572.00	\$4,194.31	\$400,000	<b>\$789,675.40</b>
<b>FY 21</b>	\$220,938.00	\$175,243.00	\$1,000.00		\$397,181.00
<b>To date</b>	<b>\$3,106,871.93</b>	<b>\$2,043,979.00</b>	<b>\$83,757.74</b>	<b>\$1,625,000</b>	<b>\$7,256,789.67</b>
<b>FY 22*</b>	\$216,000.00*	\$108,000.00*	\$1,000.00*	\$500,000.00	<b>\$825,000.00</b>
<b>TOTAL</b>	<b>\$3,322,871.93</b>	<b>\$2,151,979.00</b>	<b>\$84,757.74</b>	<b>\$2,125,000</b>	<b>\$7,684,608.67</b>

\* estimates for FY '22

## The Outlook for Next Year

For the coming fiscal year, FY' 22, it is estimated that the Town of Nahant will receive \$108,000 as a state match against the estimated FY '22 CPA surcharge revenues of the town, \$216,000, as provided by the Assessor. This represents an estimate of approximately fifty percent (50%) as a state match, about 10% less recent state matches. Recent communiques from the Community Preservation Coalition describe the substantial increase in the Community Preservation Trust Fund as a result of the legislation passed in 2019 which essentially doubled the Registry of Deeds recording fees which are the basis of the state match. The CPA Trust Fund now has \$3.94 million available for matching purposes; in contrast, the CPA fund in February 2019 was \$1.76 million. This is an increase of 2.23 x. While the number of participating communities has continued to grow, the outlook for Community Preservation to benefit the participating communities remains strong.

## The Leverage of CPA Grants

In addition to receiving the state match each year, the Town has leveraged additional multiples of private and public monies with its use of CPA funds. Much of this money would not have been spent if the CPA were not there to fill funding gaps and to stimulate qualifying projects. Since adoption of the CPA, of the 81 projects approved (through FY 20), 15 have had conditions for matching funds. One, the American Legion Porch Repair Grant, was not accepted. One, the Little League Study was not completed and the money re-appropriated. The FY'14 appropriation for repair of the Town Wharf from the ramp to Marjoram Park was rescinded and replaced by a new appropriation at last town meeting to provide matching funds of \$233,820 against the award of \$410,000 to complete the \$643,820 boat ramp and wharf project.

Of the project cost for the seventy-eight (78) remaining approved projects with a total project cost of \$6,607,975, the Town's share (raised by the surtax) of the awards for those projects, \$2,558,152.01 represents approximately 38.5% of the total cost of the approved projects. In other words, the Town has been able to achieve a leverage of 3:1 from its local CPA surtax, which means the Town only has to provide approximately 38 cents of every dollar needed for funded projects.

<u>Projects FY 20</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant (60.6%)</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total Cost</u>
Total Fifteen Years	\$6,607,975	\$4,418,975	\$2,558,152.01	\$1,623,000	\$458,720	-38.70%

The entire Leverage report is detailed in Appendix A.

## The Status of Funded Projects

Appendix B lists the projects approved in each of the prior Fiscal Years, showing the applicant, the category or categories under CPA that the grant was made, a brief description of the project, the original amount of the grant, the amount of the grant expended to date and a brief description of the status of the project.

## The Assessment Process

In order to determine the Town's community preservation needs and make decisions on which projects should be funded, the Community Preservation Committee gathers information and ideas from Nahant citizens and groups who are knowledgeable about each of the community preservation areas. For instance, members of the CPC, if not the entire Committee, regularly consult with members of the Planning Board, the Historic Commission, the Conservation Commission, the Open Space and Recreation Commission, and the Nahant Housing Authority.

Based on the information gathered, the CPC each year develops an assessment of Nahant's goals and needs in each of the community preservation areas. Some projects are ready for immediate action and are being recommended by the CPC, while others are still being considered and developed. The process itself is a valuable one as it allows the CPC and the Town to balance priorities and plan, not only for current projects and needs, but for years ahead.

## This Year's Needs Assessment

As part of this year's process, the CPC held a public informational hearing on December 13<sup>th</sup>, 2019 and February 22, 2021 for FY21 and FY22 respectively. CPC publicized the hearing through an article in the *Lynn Daily Item* plus a direct mailing to town committees, board chairpersons and non-profit organizations in Nahant.

The following items were made available to the members of the CPC via prior distribution, and to the general public via paper handouts at this meeting and by posting on the Town's web site:

- Town of Nahant Community Preservation Committee, Grant Application Package & Project Submission Form
- Chart of Community Preservation Fund Allowable Spending Purposes.

This was an informational session to answer questions and to gather information for the assessment of the Town's community preservation needs.

At the public hearing the Chair put forth a history of the CPA, its basic funding mechanism, the appropriations mechanism and the Committee's (CPC) history over the years in Nahant, that we were the 42<sup>nd</sup> municipality to adopt and that there are now 172 adopting municipalities. The Committee pointed out that although the CPC makes recommendations (to both the Finance Committee and Town Meeting), all projects are voted on and approved (or not) by Town Meeting. The four purposes of the Act were described: Housing, Historic Preservation, Open Space, and Recreation as eligible projects and that the Act specifically excludes maintenance expenditures. The required 10% requirements for Housing, Historic, and Open Space funding were discussed.

A public discussion, led by Lynne Spencer, solicited questions, ideas, and comments from the audience of participating citizens, to which, she, other members of the CPC and the Town Administrator responded.

It was communicated that the deadline for applications for FY21 was January 25<sup>th</sup>, 2020.

And deadline for FY22 was March 12, 2021.

### Methodology & Results for FY21

#### I. Public meeting held on December 18, 2019:

The hearing was duly advertised by an article in *Lynn Daily Item*, augmented by direct mailing to town boards and organizations, as well as postings on the Town's roadside Electronic Notice Display and on the Town web site. The hearing resulted in discussions with citizens around the following CPA categories. Discussion centered on updates to existing library projects

##### Open Space & Recreation

Idea of replacing the Dory Club float

##### Historic Preservation

Clarification of status on previous library appropriations and an update on the program prepared several years ago; care of Library assets such as paintings, artifacts, and furniture including the historically significant "1819" collection in the Nahant room.

Concerns for the on-going building repair and rehabilitation needs of historic structures owned by the Town.

#### II. Resulting Applications received:

<u>Applicant</u>	<u>Project</u>
Town of Nahant	Town Hall handicapped access work.
Town of Nahant	Ellingwood Chapel preservation work
Town of Nahant	Spring Road Basketball Court
Town of Nahant	Little Nahant-Short Beach playground
Town of Nahant	Lowlands Softball Field
Town of Nahant	Bailey's Hill, East Slope, restoration
Nahant Historical Society	Archival conservation project
Nahant Preservation Trust	East Nahant National Register Historic District
Dory Club	Gangway and Floating Dock
Nahant Housing Authority	Window flashing work
Nahant Housing Authority	Siding work, Greystone and Spring Road
Town of Nahant	Rights of Ways enforcement
Private individuals	Dog Park
Town of Nahant	East Point/Canoe Beach Preserve

### Methodology & Results for FY22

#### I. Public meeting held on February 22, 2021:

The hearing was duly advertised by an article in *Lynn Daily Item*, augmented by direct mailing to town boards and organizations, as well as postings on the Town's roadside Electronic Notice Display and on the Town web site. The

hearing resulted in discussions with citizens around the following CPA categories. Discussion centered on updates to existing library projects

Open Space & Recreation

- Master plan for Nahant Country Club/New Nahant Land Company.
- Tree planting and care on town-owned properties.
- Additional funding for the Tennis and Basketball Court project at Flash Road.

Historic Preservation

- Exterior envelope work for the Public Library

**II. Resulting Applications received:**

<u>Applicant</u>	<u>Project</u>
New Nahant Land Co.	Master plan
Nahant Little League	New backstop and fencing
Nahant Planning Board	Bear Pond Ecosystem Restoration Study
Nahant Public Library	Exterior envelope work
Nahant American Legion	Interior work and exterior sign
Town of Nahant	Flash Road Pavilion
Town of Nahant	Tennis & Basketball Courts, Flash Road
Town of Nahant	Greenlawn Cemetery Arch and Walls

**The Selection Process**

The applications were reviewed according to the grant guidelines developed by the Committee and according to the standards set forth in the Community Preservation Act legislation. During the application review period, applicants were invited to meet with the Committee to clarify their proposals and answer questions. In evaluating proposed projects committee used criteria set forth below. as the law requires, Town Meeting must approve all Community Preservation Committee funding recommendations.

The Community Preservation Committee requires that all proposed projects be eligible for CPA funding according to the requirements described in the CPA legislation. Funds collected under the Community Preservation Act can only be spent for four community preservation areas: open space, historic preservation, affordable housing, and recreational uses. At least 10% of the funds received in any fiscal year must be spent or set aside for each of the first three of those areas (open space, historic preservation, affordable housing). The remaining 70% of each year's funds can be spent in any of the four areas, as determined by the needs of the community. Funding may include acquisitions of ownership interests in real estate, acquisitions of easements and rights of way, acquisitions of land use restrictions (affordable housing, historic preservation and conservation), leases, studies (architectural, engineering, environmental, legal and other technical assistance). Funds also may be appropriated for the creation or support of affordable housing or for preservation or restoration purposes. However, CPA funds cannot be spent on maintenance, i.e. non-capital expenditures for ongoing upkeep of building or landscapes. Up to 5% of annual Community Preservation revenues can be spent on administrative and operating expenses of the Community Preservation Committee.

Projects are then evaluated with consideration of the Selection Criteria adopted by the Town of Nahant CPC. That criteria used to assess proposed projects are:

**Selection Criteria**

- How will the proposed project contribute to the preservation of Nahant’s unique character and enhance Nahant’s quality of life?
- Is the proposed project consistent with town planning documents that have received wide input and scrutiny?
- What is the feasibility of the proposed project?
- How “time sensitive” is the project? Is it urgent?
- Is the cost of this project proportionate to its objectives?



- In general, will the project serve multiple needs?
- Specifically, will the project serve more than one CPA category (*i.e.* affordable housing, open space, historic preservation or recreation)?
- Does the project have demonstrated community support?
- Will the project preserve currently owned town assets?
- Will the project involve the acquisition and/or protection of threatened resources?
- Will the project involve multiple sources of funding, or will it leverage other public and/or private funding sources or in-kind services?
- If multiple sources of funding are involved, are commitments from other sources documented?
- Will this project stimulate other public/private projects in Nahant

### **Grant Acceptance**

All grant recipients must fulfill obligations and are required to formally accept the Grant and to sign the Grant Contract, the form of which, together with Grant Requirements and Procurement Guidelines are detailed in the Grant Application Package that is found on the CPC's web page on the Town's web site [http://www.nahant.org/townhall/cpc.shtml#gpm1\\_5](http://www.nahant.org/townhall/cpc.shtml#gpm1_5)

### **Solicitation of Proposals**

The Community Preservation Committee welcomes new project proposals that may contribute to community preservation in Nahant. Please contact the CPC with any suggestions or questions.

Respectfully Submitted,  
Lynne Spencer, Chair  
April 11, 2021

**Appendix A Nahant Community Preservation Committee  
LEVERAGE REPORT – Inception through Current Fiscal Year (cont.)**

<u>Projects FY 06</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Life-Saving Station	\$135,000	\$135,000	\$62,500	None \$300,000 spent previously		50%
Bailey's Hill Gazebo	\$18,000	\$10,000	\$5,000	\$8,000	\$1,000	28%
Building Study	\$1,500	\$1,500	\$750	None		50%
Master Plan Phase 1(both grants)	\$20,000	\$10,000	\$5,000	None	\$10,000	25%
<b>Totals FY 06</b>	<b><u>\$174,500</u></b>	<b><u>\$156,500</u></b>	<b><u>\$73,250</u></b>	<b><u>\$8,000</u></b>	<b><u>\$11,000</u></b>	<b><u>42%</u></b>

<u>Projects FY 07</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Live-Saving Station	\$1,085,000	\$450,000	\$225,000	\$450,000	\$185,000	21%
Generator	\$19,000	\$19,000	\$9,500	None		50%
Master Plan Phase 2	\$30,000	\$15,000	\$7,500	None	\$15,000	25%
Cemetery	\$30,000	\$15,000	\$7,500	None	\$15,000	25%
Playgrounds	\$44,000	\$20,000	\$10,000	\$20,000	\$4,000	23%
Dory Club Phase 1	\$130,000	\$40,000	\$20,000	\$40,000	\$50,000	15%
Village Church	\$138,000	\$50,000	\$25,000	\$50,000	\$38,000	18%
<b>Totals FY 07</b>	<b><u>\$1,476,000</u></b>	<b><u>\$609,000</u></b>	<b><u>\$304,500</u></b>	<b><u>\$560,000</u></b>	<b><u>\$307,000</u></b>	<b><u>21%</u></b>
<b>Totals 2 Years</b>	<b><u>\$1, 651,500</u></b>	<b><u>\$765,500</u></b>	<b><u>\$376,750</u></b>	<b><u>\$568,000</u></b>	<b><u>\$318,000</u></b>	<b><u>22.9%</u></b>

<u>Projects FY 08</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Forty Steps Beach	\$150,000	\$150,000	\$75,000			50%
Military Housing Study	\$17,500	\$17,500	\$8,750			50%
Nahant LL Study	\$2,000	\$2,000	\$1,000			50%
Heritage Trails	\$53,500	\$23,500	\$11,750		\$30,000	22%
<b>Totals FY 08</b>	<b><u>\$223,000</u></b>	<b><u>\$193,000</u></b>	<b><u>\$96,500</u></b>		<b><u>\$30,000</u></b>	<b><u>43%</u></b>
<b>Totals 3 Years</b>	<b><u>\$1,874,500</u></b>	<b><u>\$958,500</u></b>	<b><u>\$474,250</u></b>	<b><u>\$568,000</u></b>	<b><u>\$348,000</u></b>	<b><u>25.3%</u></b>



**Appendix A Nahant Community Preservation Committee  
LEVERAGE REPORT – Inception through Current Fiscal Year (cont.)**

<u>Projects FY 09</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Chairlift and Housing Improvements	\$24,000	\$24,000	\$12,000			50%
Library, Chapel and Town Hall	\$200,000	\$200,000	\$100,000			50%
Heritage Trails	\$40,000	\$20,000	\$10,000		\$20,000	25%
Town Wharf	\$700,000	\$700,000	\$350,000			50%
<b>Total FY '09</b>	<b>\$964,000</b>	<b>\$944,000</b>	<b>\$472,000</b>		<b>\$20,000</b>	<b>49%</b>
<b>Total 4 Years</b>	<b><u>\$2,838,500</u></b>	<b><u>\$1,902,500</u></b>	<b><u>\$946,250</u></b>	<b><u>\$568,000</u></b>	<b><u>\$368,000</u></b>	<b><u>33.3%</u></b>

<u>Projects FY 10</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Housing Authority Windows and Storm Doors	\$100,000	\$60,000	\$33,708		\$40,000	35%
Community Garden	\$10,000	\$10,000	\$5,618			56%
Public Way Study	\$12,500	\$12,500	\$7,022			56%
<b>Total FY '10</b>	<b>\$122,500</b>	<b>\$82,500</b>	<b>\$46,348</b>		<b>\$40,000</b>	<b>38%</b>
<b>Total 5 Years</b>	<b><u>\$2,961,000</u></b>	<b><u>\$1,985,000</u></b>	<b><u>\$992,598</u></b>	<b><u>\$568,000</u></b>	<b><u>\$408,000</u></b>	<b><u>33.5%</u></b>

<u>Projects FY 11</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Roof Replacement	\$40,000	\$40,000	\$25,157			63%
Library	\$45,000	\$45,000	\$28,302			63%
Dune Restoration	\$5,000	\$5,000	\$3,145			63%
Town Wharf	\$40,000	\$40,000	\$25,157			63%
Public Way Study	\$10,000	\$10,000	\$6,289			63%
<b>Total FY '11</b>	<b>\$140,000</b>	<b>\$140,000</b>	<b>\$88,050</b>			<b>63%</b>
<b>Total 6 Years</b>	<b><u>\$3,101,000</u></b>	<b><u>\$2,025,000</u></b>	<b><u>\$1,080,648</u></b>	<b><u>\$568,000.00</u></b>	<b><u>\$408,000.00</u></b>	<b><u>34.8%</u></b>

**Attachment A Nahant Community Preservation Committee  
LEVERAGE REPORT – Inception through Current Fiscal Year (cont.)**

<u>Projects FY 12</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Public Way Study	\$11,240	\$11,240	\$7,025			60%
Community Garden	\$15,000	\$15,000	\$9,375			60%
Ellingwood Chapel	\$5,000	\$5,000	\$3,145			60%
Cemetery	\$4,000	\$4,000	\$2,500			60%
Master Plan and NLSS	\$190,000	\$190,000	\$118,750		\$50,000	60%
<b>Total FY '12</b>	\$225,240	\$225,240	\$140,775		\$50,000	60%
<b>Total 7 Years</b>	<b><u>\$3,326,240</u></b>	<b><u>\$2,250,240</u></b>	<b><u>\$1,221,423</u></b>	<b><u>\$568,000</u></b>	<b><u>\$458,000</u></b>	<b><u>36.7%</u></b>

<u>Projects FY 13</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Spindrift Chair Lift	\$12,710	\$12,710	\$7,875.00 0			63%
Public Way Study	\$12,500	\$12,500	\$8,007.30			63%
<b>Total FY '13</b>	\$25,210	\$25,210	\$15,882.30			63%
<b>Total 8 Years</b>	\$3,351,450	\$2,275,450	\$1,237,305.30	\$568,000	\$458,000	<b><u>36.5%</u></b>

<u>Projects FY 14</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Nahant Town Library; windows, loggia, skylight	\$30,000	\$30,000	\$15,000			50%
Recreation Study	\$25,000	\$25,000	\$12,500			50%
Town Wharf (ramp to Marjoram Hill Park)	\$500,000	100,000	\$100,000	\$400,000		20%
Town Wharf (Dory Club around and ramp wall)	\$65,000	\$65,000	\$32,500			50%
Town Hall Auditorium Windows Weather strip	\$10,000	\$10,000	\$5,000			50%
Ellingwood Chapel Electrical Upgrades	\$10,000	\$10,000	\$5,000e			50%
<b>Total FY '14</b>	\$640,000	\$240,000	\$170,000	\$400,000		26.6

**Attachment A Nahant Community Preservation Committee  
LEVERAGE REPORT – Inception through Current Fiscal Year (cont.)**

<b>Total 9 Years</b>	\$3,991,450	\$2,315,450	\$1,407,305	\$968,000	\$458,000	<b><u>35.3%</u></b>
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<u>Projects FY 15</u>	<u>Total Project Cos</u>	<u>Grant</u>	<u>Town share of Grant</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Town Records Preservation, year 1 of 5	\$31,319	\$31,319	\$19,502			62.3%
Town Hall Interior Stair Case Rehabilitation	\$15,000	\$15,000	\$9,342			62.3%
Town Hall HVAV lower level	\$45,74	\$45,745	\$28,485			62.3%
Town Hall Preserve Exterior Balcony	\$15,000	\$15,000	\$9,342			62.3%
Total FY '15	\$107,064	\$107,064	\$170,064			62.3
<b>Total 10 Years</b>	<b>\$4,098,514</b>	<b>\$2,422,514</b>	<b>\$1,577,369</b>	<b>\$968,000</b>	<b>\$458,000</b>	<b><u>38.5%</u></b>

<u>Projects FY 16</u>	<u>Total Project Cos</u>	<u>Grant</u>	<u>Town share of Grant (58.8%)</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Town Records Preservation, year 2 of 5	\$28,373	\$28,373	\$16,690			58.8%
Town Hall Flag Pole Preservation	\$15,000	\$15,000	\$8,823.53			58.8%
Fire Station Study	\$15,000	\$15,000	\$8,823.53			58.8%
Wharf Ramp and Sea Wall Study	\$25,000	\$25,000	\$14,705.88			58.8%
Cemetery Records DB	\$16,500	\$16,500	\$9,705.88			58.8%
Platform Tennis at NCC	\$60,000	\$20,000	\$11,764.71	\$40,000		19.5%
Ellingwood Electric	\$20,000	\$20,000	\$11,764.71			58.8%
Library Building Study	\$20,000	\$20,000	\$11,764.71			58.8%
NLSS Site Plan and Stairs	\$100,000	\$95,000	\$55,882.35	5,000		55.9%
Cross index Building Dept. records	\$5,000	\$5,000	2,941.18			58.8%
Total FY '16	\$304,873	\$259,873	\$152,866.47	\$55,000		50.1%
<b>Total 11 Years</b>	<b>\$4,403,387</b>	<b>\$2,682,387</b>	<b>\$1,730,235.47</b>	<b>\$1,023,000</b>	<b>\$458,000</b>	<b><u>39.2%</u></b>

**Attachment A Nahant Community Preservation Committee  
LEVERAGE REPORT – Inception through Current Fiscal Year (cont.)**

**Attachment A Nahant Community Preservation Committee  
LEVERAGE REPORT – Inception through Current Fiscal Year (cont.)**

<u>Projects FY 17</u>	<u>Total Project Cos</u>	<u>Grant</u>	<u>Town share of Grant (60.6%)</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Town Records Preservation, year 3 of 5	\$27,030	\$27,030	\$1,6380.18			60.6%
Cross Index Building Department Records	\$5,000	\$5,000	\$3,030.00			60.6%
Preserve Town Hall Cupola	\$90,000	\$90,000	\$54,540			60.6%
Library Art, Furnishings, and Artifact Preservation	\$21,000	\$21,000	\$12,726			60.6%
Town Wharf Rehabilitation, match for Seaport Advisory Grant	\$643,820	\$233,820	\$141,694.92	\$410,000		22%
Total FY '17	\$786,850	\$376,850	\$228,371.10	\$410,000		29%
<b>Total 12 Years</b>	<b>\$5,190,237</b>	<b>\$3,239,237</b>	<b>\$1,958,606.57</b>	<b>\$1,433,000</b>	<b>\$458,0000</b>	<b><u>37.7%</u></b>

<u>Projects FY 18</u>	<u>Total Project Cos</u>	<u>Grant</u>	<u>Town share of Grant (61%)</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Comprehensive building envelope assessment for Town Hall, Public Library & Ellingwood Chapel	\$35,000	\$35,000	\$21,350			61%
Town Records Preservation, year 4 of 5	\$26,634	\$26,634	\$16,002.74			61%
Town Hall – Masonry repairs	\$30,000	\$30,000	\$18,300			61%
Town Hall – Handicapped Access Study	\$10,000	\$10,000	\$6,100			61%
Public Library – Exterior and Interior Repairs	\$85,000	\$85,000	\$51,850			61%
Ellingwood Chapel – Restoration of 3 sets of doors	\$30,000	\$20,000	\$12,200			61%
Lifesaving Station – roof run-off control at north entries	\$10,000	\$10,000	\$6,000			61%
25 Furbush Road – acquisition and site restoration	\$30,650	\$20,650	\$12,596.50	\$10,000		39%
Total FY '18	\$257,284	\$247,284	\$150,843.24	\$10,000		58%
<b>Total 13 Years</b>	<b>\$5,453,521</b>	<b>\$3,486,521</b>	<b>\$2,103,005.81</b>	<b>\$1,443,000</b>	<b>\$458,720</b>	<b><u>40%</u></b>

**Attachment A Nahant Community Preservation Committee  
LEVERAGE REPORT – Inception through Current Fiscal Year (cont.)**

<u>Projects FY 19</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant (54%)</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Town Records Preservation year 5 of 5	\$27,020	\$27,020	14,509.80			54%
Nahant Historical Society Artifacts Cataloging	\$5,685	\$5,685	3,069.90	In-kind services		54%
Ellingwood Chapel	\$162,000	\$112,000	\$60,480.00	\$50,000		39.8%
Nahant Public Library	\$25,000	\$25,000	\$12,500.00			54%
Town Hall	\$45,000	\$45,000	\$24,300.00			54%
Community Center	\$30,000	\$20,000	\$10,800.00	\$10,000		36%
Wharf Gangway	\$7,750	\$7,750	\$4,185.00			54%
Wetlands Mapping	\$10,000	\$10,000	\$5,400.00			54%
Total FY '19	<b>\$305,455</b>	<b>\$252,455</b>	<b>135,244.70</b>	<b>\$60,000</b>		<b><u>49.97%</u></b>
<b>Total 14 Years</b>	<b>\$5,758,976</b>	<b>\$3,738,976</b>	<b>\$2,218,152.01</b>	<b>\$1,503,000</b>	<b>\$458,720</b>	<b><u>38.5%</u></b>
<u>Projects FY 20</u>	<u>Total Project Cost</u>	<u>Grant</u>	<u>Town share of Grant (50%)</u>	<u>Required Grant Match</u>	<u>Additional Investment</u>	<u>Town's share as % of Total cost</u>
Nahant Public Library	\$519,000	\$400,000	200,000	70,000		38.5%
Tennis & Basketball Courts, Flash Road	\$160,000	\$160,000	80,000			50%
Johnson School Basketball Court	\$5,000	\$5,000	2,500			50%
Softball Field, Nahant Road	\$15,000	\$15,000	7,500			50%
Council on Aging Kitchen, Town Hall	\$100,000	\$50,000	25,000	\$50,000		25%
Tudor Beach stairs	\$20,000	\$20,000	10,000			50%
Open Space Master Plan	\$30,000	\$30,000	15,000			50%
Total FY '19	<b>\$849,000</b>	<b>\$680,000</b>	<b>\$340,000</b>	<b>\$120,000</b>		<b><u>37.64%</u></b>
<b>Total 15 Years</b>	<b>\$6,607,976</b>	<b>\$4,418,975</b>	<b>2,558,152.01</b>	<b>\$1,623,000</b>	<b>\$458,720</b>	<b><u>38.7%</u></b>

**Appendix B Nahant Community Preservation Committee  
FUNDED PROJECTS STATUS REPORT as of 4/7/20**

<u>Projects FY 2006</u>	<u>Applicant</u>	<u>CPA Category and Project Description</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Status and Comments</u>
Nahant Life-Saving Station	Town of Nahant Life-Saving Station Committee	Historic: Exterior renovations to station building	\$135,000.00	(\$135,000.00)	Completed
Bailey's Hill Gazebo	Women's Club	Historic: Construction of historic gazebo at Bailey's Hill	\$10,000.00	(\$10,000.00)	Completed
Building Study	American Legion	Historic: Existing conditions study of Legion building	\$1,500.00	(\$1,482.00)	Completed \$18 returned to CPA General Reserve
Legion Porch Repair	American Legion	Historic: Porch replacement and structural repairs Legion building	\$7,500.00	\$0.00	Not accepted \$7,500 returned to CPA General Reserve
Master Plan	Planning Board	Housing: Master Plan- community housing aspects	\$5,000.00	(\$3,404.20)	Unexpended balance \$1595.80 transferred for Public Ways Study
Master Plan	Planning Board	Open Space: Master Plan-open space elements	\$5,000.00	(\$5,000.00)	Expended entirely
Administrative	CPC	Annual administrative costs of the committee	\$5,000.00	(\$1,810.13)	\$3,189.87 not used and returned to CPA Reserve

**Appendix B Nahant Community Preservation Committee  
FUNDED PROJECTS STATUS REPORT as of 4/7/20**

<u>Projects 2007</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Nahant Life-Saving Station	Town of Nahant Life-Saving Station Committee	Historic Renovations to station and garage building and grounds; construction of community bathrooms and showers	\$450,000 by Borrowing	(\$450,000.00)	Funds expended
Housing Generator	Housing Authority	Housing Emergency generator	\$19,000.00 0	(\$19,000.00)	Completed
Master Plan	Planning Board	Housing and Open Space Master Plan	\$15,000.00 0	(\$1,734.00)	\$8,266 transferred to Public Ways Study in FY11; \$5000 recommended to be transferred to Public Ways Study in FY12
Greenlawn Cemetery	Town of Nahant	Historic Improvements to Greenlawn Cemetery	\$15,000.00 0	(\$15,000.00)	Completed
Playgrounds	Swing With Me	Recreation Construction of two new playground areas	\$20,000.00 0	(\$20,000.00)	Completed
Dory Club Building	Dory Club	Historic Exterior renovations to Dory Club clubhouse building	\$40,000.00 0	(\$40,000.00)	Completed
Village Church	Village Church	Historic Roof and window restoration	\$50,000.00 0	(\$50,000.00)	Completed
Administrative	CPC	Annual administrative costs	\$5,000.00 0	(\$3,449.65)	1550.35 not used and returned to CPC General Reserve



**Attachment B Nahant Community Preservation Committee  
FUNDED PROJECTS STATUS REPORT as of 4/7/20 (cont.)**

<u>Projects 2008</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Forty Steps Beach Stairs	Town of Nahant	Open Space Provide stairway access to beach	\$150,000.00 by Borrowing	(\$150,000.00)	Completed
Military Housing Study	Town of Nahant Military Housing Committee	Housing Study of military housing property utilization	\$17,500.00	(\$17,500.00)	Completed
Nahant Little League Study	Nahant Little League	Recreation Study of Facilities	\$2,000.00	\$0.00	\$2,000 transferred to Community Preservation Act General Reserves
Heritage Trails	Nahant Open Space Committee	Open Space Improvements to Heritage Trail	\$23,500.00	(\$23,500.00)	Phase I completed
Administrative	CPC	Annual Administrative Costs	\$5,000.00	(\$3,414.40)	\$1,585.60 not used and returned to CPC General Reserve

<u>Project 2009</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Chairlift Improvement	Nahant Housing Authority	Housing Chairlift and other housing improvements	\$24,000.00	(\$23,145.13)	Work completed; \$854.87 transferred to Roof Replacement
Town Hall, Library, Chapel	Town of Nahant	Historic	\$200,000.00	(\$200,000.00)	Completed
Heritage Trails	Nahant Open Space Committee	Open Space Improvements to Heritage Trail	\$20,000.00	(\$19,282.00)	\$718.00 available
Town Wharf Debt	Town of Nahant	Recreation, Open Space Historic Preservation Wharf Preservation	\$700,000.00 \$625,000.00 by Borrowing	(\$700,000.00)	\$625,000.00 borrowed. Work completed, two years left till paid off
Administrative	CPC	Annual Administrative Costs	\$5,000.00	(\$2,854.47)	\$2,145.53 not used and returned to CPC General Reserve

**Attachment B Nahant Community Preservation Committee  
FUNDED PROJECTS STATUS REPORT as of 4/7/20 (cont.)**

<u>Projects FY 2010</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Windows/Doors	Nahant Housing Authority	Housing Replace Windows and Doors	\$60,000.00	(\$60,000.00 )	Complete
Community Garden	Town of Nahant	Open Space	\$10,000.00	(\$10,000.00 )	Complete
Public Way Study	Nahant Planning Board Committee	Open Space	\$12,500.00	(\$12,500.00 )	Complete
Administrative	CPC	Annual Administrative Costs	\$5,000.00	(\$2,701.78 )	Unused portion of \$2,298.22 to be returned to CPC General Reserve

<u>Projects FY 2011</u>	<u>Applicant</u>	<u>CPA Category and Project Description</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Roof Replacement	Nahant Housing Authority	Housing Replace Roof	\$40,000.00	(\$20,338.40)	Completed; unexpended transferred to Housing Reserve
Dune Restoration	Town of Nahant	Open Space	\$5,000.00	(\$5,000.00)	Completed
Public Way Study	Nahant Planning Board Committee	Open Space	\$10,000.00	(\$775.78)	Continuing effort, balance \$9,244.42 for use
Town Wharf Preservation	Town of Nahant	Recreation, Open Space, Historic	\$40,000.00	(\$40,000.00)	Work completed
Library Renovations	Nahant Library	Historic Preservation	\$45,000.00	(\$43,917.50)	\$1082.50 balance. Available for Library architectural fees
Administrative	CPC	Annual Administrative Costs	\$5,000.00	(\$2,345.17)	\$2,654.83 returned to CPC General Reserve

<u>Projects 2012</u>	<u>Applicant</u>	<u>CPA Category and Project Description</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Public Way Study	Nahant Planning Board	Open Space	\$11,240.00	(\$11,240)	Complete
Community Garden	Town of Nahant	Open Space	\$15,000.00	(\$15,000)	Complete
Ellingwood Chapel Repairs	Town of Nahant	Historic Preservation	\$5,000.00	4,924.50	Completed; unexpended transferred to 2014 article
<u>Projects 2012 (Cont.)</u>	<u>Applicant</u>	<u>CPA Category and Project Description</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>

**Attachment B Nahant Community Preservation Committee  
FUNDED PROJECTS STATUS REPORT as of 4/7/20 (cont.)**

Cemetery Gates	Town of Nahant/Cemetery Committee	Historic Preservation	\$4,000	(\$1,600)	Complete. \$2,400 transferred to General Reserves.
Short Beach: Master Plan and Nahant Life Saving Station Site Improvements	Town of Nahant Nahant Preservation Trust	Historic Preservation	\$190,000.00 \$95,000.00	(\$274,710.22)	Additional funding from FY 2016. Balance of \$10,289.78
Administrative Fund	CPC	Annual administrative costs	\$5,000	(\$2,430.14)	\$2,569.86 returned to CPC General Reserve

<u>Projects 2013</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Chairlift Improvement	Nahant Housing Authority	Housing: Chairlift and other housing improvements	\$12,710.40	(\$12,410.85)	Work completed; \$295.55 unspent, to be transferred to reserve
Public Ways Study	Nahant Planning Board	Open Space	\$12,500.00	(\$8,532.50)	Surveys and title research of Little Nahant Completed, some bounds placed; title research commenced Big Nahant. Balance of \$3,967.50 for continuing effort.

<u>Projects 2014</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Library Preservation	Library Trustees	Historic	\$30,000.00	(\$30,000)	Complete
Recreation Study	Town of Nahant	Recreation	\$25,000.00	(\$21,002.57)	Study complete. Balance of \$3,997.43.
Emergency Wharf Repairs	Town of Nahant	Historic Preservation	\$65,000.00	(\$55,470.29))	Completed. Balance of \$9,529.71
Wharf Preservation	Town of Nahant	Historic Preservation	\$100,000.00	0	To be rescinded in FY 17
Ellingwood Electrical Rehabilitation	Town of Nahant	Historic Preservation	\$10,000.00		Combined with FY 16 appropriation, work in progress.
Town Hall Auditorium Window	Town of Nahant	Historic Preservation	\$10,000.00	(9,571.75)	Complete. Balance returned to General reserve
Spindrift Site Work: Parking lot	Housing Authority	Housing	\$50,000.00	(\$50,000)	Completed

**Attachment B Nahant Community Preservation Committee  
FUNDED PROJECTS STATUS REPORT as of 4/7/20 (cont.)**

<u>Projects 2015</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Town Records Preservation, year 1 of 5	Town of Nahant	Historic Preservation	\$31,319.00	(\$31,319)	Phase 1 complete, additional funding being sought for Phase 2
Town Hall Interior Stair Case Rehabilitation	Town of Nahant	Historic Preservation	\$15,000.00	(\$6,000)	\$9,000 transferred to the General Reserves
Town Hall HVAC lower level	Town of Nahant	Historic Preservation	\$45,745.00	(\$32,957.50)	\$12,787 transferred to General Reserves.
Town Hall Preserve Exterior Balcony	Town of Nahant	Historic Preservation	\$15,000.00	(\$15,000)	Completed

<u>Projects 2016</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Town Records Preservation, year 2 of 5	Town of Nahant	Historic Preservation	\$28,373	(\$28,073)	\$300 balance
Town Hall Flag Pole Preservation	Town of Nahant	Historic Preservation	\$15,000.00	(\$15,000)	Complete
Fire Station Study	Town of Nahant	Historic Preservation	\$15,000.00	(\$15,000)	Complete
Wharf Ramp and Sea Wall Study	Town of Nahant	Historic Preservation	\$25,000.00	(\$14,787.44)	Complete. \$10,212.46 transferred to General Reserves.
Cemetery Records DB	Town of Nahant	Historic Preservation	\$16,500	(\$16,500)	Complete
Platform Tennis at NCC	Nahant Country Club	Recreation	\$20,000	(\$20,000)	Complete
Ellingwood Electric	Town of Nahant and Cemetery Committee	Historic rehabilitation	\$20,000	(\$20,000)	Additional private funds \$6,000
Library Building Study	Library Trustees	Historic rehabilitation	\$20,000.00	(\$19,507.50)	\$492.50 balance pending
NLSS Site Plan and Stairs	Nahant Preservation Trust	Historic Preservation	\$95,000	(\$87,840.22)	Balance of \$7,159.78
Cross index Building Dept. records	Assessor's and Planning Board	Historic Preservation	\$5,000	(\$4,976.25)	Complete. Balance of \$23.75 to be transferred to General Reserve

**Attachment B Nahant Community Preservation Committee  
FUNDED PROJECTS STATUS REPORT as of 4/7/20 (cont.)**

<u>Projects 2017</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Town Records Preservation, year 3 of 5	Town of Nahant	Historic Preservation	\$27,030	(\$27,073)	Phase 3 complete.
Town Hall Cupola Preservation	Town of Nahant	Historic Preservation	\$90,000.00	(\$81,916)	Complete. Balance of \$7,985.56 for weathervane.
Town boat ramp and wharf repairs	Town of Nahant	Open Space and Historic	\$233,000.00	(223,470.29)	\$9,529.71 balance.
Cemetery Records DB	Town of Nahant	Historic Preservation	\$16,500	(\$16,500)	Complete
Ellingwood Electric	Town of Nahant and Cemetery Committee	Historic rehabilitation	\$20,000	(\$5,783.69)	Designed and bid. Additional private funds of \$6,000 procured to finish project this spring.
Library Artifact Cataloguing	Library Trustees	Historic rehabilitation	\$20,000.00	(\$9,408.21)	Work in progress. \$10,591.79 balance.
Cross index Building Dept. records	Assessor's and Planning Board	Historic Preservation	\$5,000	(\$5,000)	Software installed, additional funding to update records.

<u>Projects 2018</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Comprehensive envelope assessment for Town Hall, Public Library & Ellingwood Chapel	Town of Nahant	Historic Preservation	\$35,000	(\$34,970.55)	Complete. \$29.45 to be transferred to General Reserves FY21.
Town Records Preservation, year 4 of 5	Town of Nahant	Historic Preservation	\$26,634	(\$26,634)	Complete
Town Hall -- Masonry Repairs	Town of Nahant	Historic Preservation	\$30,000	(\$24,497)	Complete. \$5053 balance pending.
Town Hall – Handicap access study	Town of Nahant	Historic Preservation	\$10,000	(\$9,675)	Complete, \$325 balance to be transferred to General Reserves FY21.
Public Library – Exterior and Interior Repairs	Town of Nahant	Historic Preservation	\$85,000.00	(\$55,666.67)	In progress. \$29,333.33 available for more repairs.

**Attachment B Nahant Community Preservation Committee  
FUNDED PROJECTS STATUS REPORT as of 4/7/20 (cont.)**

Ellingwood Chapel – Restoration of three sets of doors	Town of Nahant	Historic Preservation	\$30,000.00	(\$25,236.57)	Complete. \$4,763.43 balance pending.
Lifesaving Station – roof run-off control at north entries	Nahant Preservation Trust & Veterans Association	Historic Preservation	\$10,000.00	(\$10,000)	Complete
25 Furbush Road – acquisition & site restoration	Nahant Preservation Trust & SWIM	Open Space	\$20,650.00	(\$12,248)	In progress. \$8,401.44 balance pending.

<u>Projects 2019</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Catalog Historic Items	Nahant Historical Society	Historic Preservation	\$5,685.00	(\$5,685)	Complete
Public Library Building Repairs	Town of Nahant/Library Trustees	Historic Preservation	\$25,000.00	(\$4,864.00)	\$20,136 Balance pending. To be allocated to work in 2022
Town Hall Building Repairs	Town of Nahant	Historic Preservation	\$45,000.00	(\$45,000)	Complete
Ellingwood Chapel Masonry Repairs	Town of Nahant	Historic Preservation	\$112,000.00	(\$112,000)	\$112,000 + \$64,680 MPPF matching grant expended 2019
Town Wharf Gangway	Town of Nahant	Recreation	\$7,750.00	(\$7,750)	Complete
Wetlands delineation map	Town of Nahant	Open Space	\$10,000.00	(\$3,500.00)	\$6,500 balance pending
Community Center front walkway replacement	Nahant Preservation Trust	Historic Preservation	\$20,000.00	(\$20,000)	Complete
Town Records Preservation, year 5 of 5	Town of Nahant	Historic Preservation	\$27,020	(\$27,020)	Complete.

<u>Projects 2020</u>	<u>Applicant</u>	<u>CPA Category and Description of Project</u>	<u>Appropriation Amount</u>	<u>Expended</u>	<u>Comments</u>
Tudor Beach Stairs	Town of Nahant	Recreation	\$20,000	(\$14,313.55)	Balance \$5,686.45

**Attachment B Nahant Community Preservation Committee  
FUNDED PROJECTS STATUS REPORT as of 4/7/20 (cont.)**

Johnson School Basketball Courts	Town of Nahant	Recreation	\$5,000	(\$5,000)	Complete
Nahant Road Softball Field	Town of Nahant	Recreation	\$15,000	(\$9,875)	Balance \$5,125 to be completed Spring 2020
Town Hall, Council on Aging Kitchen	Town of Nahant	Historic Preservation	\$50,000		Planning in progress
Open Space Masterplan	Town of Nahant	Open Space	\$30,000		Open Space Committee has been formed & is beginning their analysis
Public Library	Town of Nahant	Historic Preservation	\$400,000	(\$395,895.35) (\$9,916.67)	10 year borrowing. Terrace construction completed 2020 + Bond payment. Balance of \$\$187.98
Flash Road Tennis & Basketball Courts	Town of Nahant	Recreation	\$160,000	(\$4,810.50)	Low bid has been held pending additional funding. Balance of \$155,189.50

## RECOMMENDATIONS – Spring 2021

### Community Preservation Report — Spring 2021

The Community Preservation Committee has approved the following recommendations for the FY 2022 and FY 2021 Advisory and Finance Committee's Consideration  
April 1, 2021

**ARTICLE 21. (Community Preservation)** To see whether the Town shall vote to spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for open space, not less than 10 per cent of the annual revenues for historic resources, and not less than 10 per cent of the annual revenues for community housing or to take any other action as may be allowed under the Community Preservation Act as requested by the Community Preservation Committee.

#### FY2022 Grant Recommendations:

- A. To appropriate the sum of \$10,000 from Fiscal Year 2022 Community Preservation Fund estimated revenues for administrative and operating expenses of the Community Preservation Committee.

*Supporting Statement – In addition to annual expenses such as dues, help with printing the warrant, etc., these monies are available to assist applicants with professional help in the application process.*

- B. To appropriate the sum of \$32,375 from the FY 2022 Community Preservation estimated revenues to make improvements to the Nahant Little League Flash Road baseball fields fencing for the purpose of promoting recreation in the Town of Nahant, consistent with the application for CPA funding by the Nahant Little League, including all incidental and related costs.

*Supporting Statement – The Nahant Little League has applied for funding to address fencing on two adjacent baseball fields in the area of Flash Road. This funding will replace the backstop of the major's field, fencing on the minor field and make other fencing repairs. The completion of this project will improve the fields in a manner that will enhance safe recreational usage of both baseball fields. The Nahant Little League is also providing a \$15,000 match.*

- C. To appropriate the sum of \$4,000 from the FY 2022 Community Preservation estimated revenues to purchase and install an exterior sign for the Nahant American Legion Post 215, consistent with the application for CPA funding by the Nahant American Legion Post 215's, including all incidental and related costs.

*Supporting Statement – The Mortimer G. Robbins American Legion Post 215 has a history of collaboration with the Community Preservation Committee to help preserve Nahant's landmarks. American Legion Post 215 had sold its property on Spring Road and used the proceeds as a match of Community Preservation Act funds towards preservation work at the Nahant Life Saving Station. Since that time American Legion Post 215 has maintained a meeting space inside the Nahant Life Saving Station.*

*This funding award will allow the American Legion Post 215 to purchase and install an exterior sign at the Nahant Life Saving Station. The sign will provide a visual recognition of the property as the official meeting space of the Mortimer G.*



*Robbins American Legion Post 215 and will also reflect the contributions of the Community Preservation Act in preserving the structure.*

- D. To appropriate the sum of \$120,000 from the FY 2022 Community Preservation estimated revenues to make improvements to the Basketball & Tennis Courts located at Flash Road for the purpose of promoting recreation in the Town of Nahant, consistent with the Town of Nahant's request for CPA funding including all incidental and related costs.

*Supporting Statement – At the annual Town Meeting on April 27, 2019 voters approved the sum of \$160,000 from Community Preservation Act funds for replacement or improvements to the basketball and tennis courts in the Flash Road recreation area. When the project was put to bid the total cost of the project was more significant than anticipated.*

*This additional sum of \$120,000 of FY2022 Community preservation estimated revenues will be combined with the prior award to allow for the project to move forward. The Town of Nahant has already completed the procurement process for the project and the contractors have held their pricing. This award will allow for site work, complete resurfacing of the basketball and tennis courts and new fencing. The courts in question have been in a state of disrepair for a number of years rendering them nearly unusable. The completion of this project will greatly enhance safe and healthy recreational activities at the Flash Road recreational area.*

- E. To authorize the Treasurer, with the approval of Board of Selectmen, to borrow the sum of \$500,000 pursuant to G.L. c.44B, §11, G.L. c.44, §§7 or 8, the State Public Library Bond program, or any other enabling authority, for the preservation of the three historic town-owned structures: the Nahant Public Library, located at 15 Pleasant Street; the Town Hall, located at 334 Nahant Road; and Greenlawn Cemetery, located at 195 Nahant Road consistent with the Town's application for CPA funding, including all incidental and related costs, and, as appropriate, to issue bonds and notes of the Town therefor, and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; and/or to authorize the Board of Selectmen to apply for, accept and expend any monies that may be made available to the Town for such purposes from any public or private source; and further, to appropriate from CPA FY2022 estimated annual revenues the sum of \$61,250 to pay debt service (principal and interest) on the first year of such borrowing..

*Supporting Statement – The Town of Nahant is graced by three public structures of architectural significance: The Town Hall, 1906, designed by Jacques & Rantoul in the Colonial Revival style; the Public Library, 1895, a Tudor Revival masterpiece by Ball & Dabney; and the Ellingwood Chapel, 1918, designed by the internationally renowned Ralph Adams Cram, who also designed the ceremonial entry arch and stone walls of Greenlawn Cemetery. Comprehensive building envelope assessments of these structures were conducted in 2018, funded by a FY2018 Community Preservation grant. The assessment recommendations were divided into critical (within 1 – 3 years), short term (3 – 5 years) and long term (7 – 10 years). The aggregate needs were – Town Hall \$335,000; Public Library \$350,000; Ellingwood Chapel \$280,000; Greenlawn Cemetery entry arch and wall \$750,000.*

*In the past three years progress has been realized. The Ellingwood Chapel had a substantial restoration of the north elevation of the tower along with other work, funded with a Massachusetts Preservation Projects Fund grant of \$77,566 and FY2019 \$112,500 CPA grant. The Public Library's immediate, critical needs escalated--reconstruction of the collapsing terrace and wraps around two sides of the building. The crumbling, unsupported terrace was dismantled, the foundation reconstructed, and the masonry restored for a cost of \$520,000. That was funded by a \$70,000 Emergency Grant from the Mass. Preservation Projects Fund and a FY2020 CPA grant of \$400,000, bonded over 10 Years, plus past unspent CPA grants. The immediate needs for the Town Hall, which had been less demanding than the other structures, have been addressed with a small CPA grant.*

*The expected deterioration of major masonry structures after their first century of use is the root cause of the major preservation needs of these buildings. Deferring that maintenance or applying inadequate or inappropriate measures greatly increases the ultimate cost of repairing the deterioration and entails secondary damage that can be catastrophic. Tackling pressing needs with small grants over several years, even if successful in avoiding major damage is more expensive in the long run than aggregating several like projects into a single contract, designed, and administered by a qualified preservation architect, bid and contracted to a qualified preservation contractor. For these reasons, Town Administrator Anthony Barletta has applied for funds to be allocated to the coordinated repairs of all three structures, administered as a single contract.*

*The costs of delaying or ignoring repairs or proceeding piecemeal dwarf the expense of borrowing to meet these pressing needs. Interest rates for municipal debt are now still near historic lows, comparable to or exceeded by annual inflation in the costs of the proposed projects. Therefore, we recommend funding the coordinated projects with a ten-year, \$500,000 bond, allocated roughly as follows: Public Library building envelop projects -- \$300,000; Town Hall -- \$100,000; Greenlawn Cemetery Entry arch -- \$100,000.*

*The major recipient of these funds, the Public Library building is one of Nahant's proudest architectural treasures. Over the last two years the Trustees and new librarian, Sharon Hawkes, have been working to expand library services to the Town simultaneously dealing with pressing matters of building maintenance while seeking to plan in a forward looking way for both major repairs and adaptations to the Library building that will insure it can meet future needs. Librarian Hawkes has applied for a MPPF matching grant, hoping for an award of \$60,000 in mid-June 2021 for implementation, matched by the FY22 CPA grant, in the autumn, 2021, with completion in the spring 2022.*

*Recognizing the need to protect the building from further deterioration by attending to these most urgent issues, we strongly recommended the funding of these preservation repairs with a 10-year bond. It is anticipated that the Library will be embarking on a coordinated plan to make major renovations and physical improvements in the building over the next few years, kicked off by a celebration of two hundred years of its existence this coming June as one of the oldest public libraries in the Commonwealth.*

- F. To appropriate for the payment of debt service of principal and borrowing on the \$400,000 Public Library Bonding authorized by the 2019 Annual Town Meeting (Article 16C), the sum of \$55,200 from Community Preservation Fund General Reserves for the first and second years of the bond payments.

*Supporting Statement – This represents first year of a ten-year bond supporting repairs to the Public Library.*

#### **FY2021 Grant Recommendations:**

- G. To appropriate the sum of \$50,000 for the preservation of Ellingwood Chapel from the FY2021 Community Preservation Fund estimated revenues to fund priority building envelope repairs identified in the 2018 conditions assessment and interior plaster repair and painting consistent with the application for CPA funding by the Nahant Cultural Council and Town of Nahant and including all incidental and related costs.

*Supporting Statement – The Chapel is an architectural treasure. Designed by internationally known architect, Ralph Adams Cram, the Ellingwood Chapel is listed in the National Register of Historic Places along with Greenlawn Cemetery. Having been returned to active use for services, concerts and events, the Chapel has actively served the community for the past 20 years. A comprehensive assessment of the Chapel in 2018 funded by a planning grant from Community Preservation identified some \$500,000 in necessary repairs. With a FY2019 CPA grant of \$112,000 matched by a Massachusetts Preservation Projects Fund grant of \$50,000, significant progress (a third of the estimated need) has been made in addressing critical water infiltration and masonry restoration. Celebrating its centennial, the Cultural Council and Town of Nahant are continuing the efforts to preserve the chapel and make it presentable for public use and enjoyment.*

H. To appropriate the sum of \$17,000 from FY 2021 Community Preservation estimated revenues to cover 20% of the cost of the Nahant Dory Club in procuring and installing a new gangway and davit apparatus from Town Wharf and two new floating docks for the purpose of promoting recreation in the Town of Nahant. The majority of the total cost of the project, \$83,830, will be borne by the Dory Club and will be no less than \$66,830. The Dory Club will provide a professional engineering plan for the project, and the release of CPC funds will be contingent upon approval of the Town Administrator based on any independent engineering review of the plans he elects to engage, especially with regard to the impact of the new davit and gangway on the structural integrity of Town Wharf.

*Supporting Statement – The Dory Club has long been the center in Nahant for instruction in sailing, boat safety, navigation, fleet racing and cruising, central recreation activities in our seaside community. The centerpiece of the program is the Nahant Sailing Program (NSP) which it provides and subsidizes primarily for the benefit of the children of Nahant. Three launches for the NSP are tied to the floats and safe access to them is essential for the program. The current two floats are disintegrating—their replacements will have more durable moorings—and the badly damaged gangway from Town Wharf needs to be replaced with one that will permit its elevation for secure storage during winter and harsh weather. In addition to NSP, other public services gladly provided by the Dory Club include serving as a venue for events of the Lions Club, Women’s Club, Garden Club, US Coast Guard Auxiliary, the Council on Aging, the Nahant Memorial Day Parade and SWIM (Safe Waters in Nahant).*

I. To appropriate the sum of \$45,000 consisting of \$33,240 FY 2021 Community Preservation fund estimated revenues and \$11,760 from the CPC Community Housing Reserve to address window-related building envelope issues at the Nahant Housing Authority’s buildings located at 41-53 & 75-77 Spring Road & 7-9 Emerald Road including all incidental and related costs, and in effect repair deteriorated wood material surrounding the windows to preserve the building envelope structure and remove the current windows in 12 low income family units, remove the deteriorated materials, replace the materials with new material, and then re-install/re-use the same windows.

*Supporting Statement – The Committee reviewed the application and determined a need existed. The Nahant Housing Authority (NHA) Director met with the Committee twice. She informed it that the current windows are fine, but the surrounding material has experienced substantial rotting from leaks on to material supporting the windows for several years. Failure to perform the project soon would result in more costly repairs later and much worse mold and other contaminant penetration. But the Committee unanimously agreed that heightened assurances were needed that the project would be performed in a manner consistent with quality industry standards. The Director explained to the Committee that about three years ago Nahant Housing entered into a new relationship with a state sponsored Region’s Capital Assistance Team “RCAT.” RCAT aids small housing authorities, like Nahant’s, with such matters for long-term management & preservation of assets. For these reasons, the Committee supports the grant request.*

J. To appropriate the sum of \$155,000 from CPC Community Housing Reserve for the purposes of preserving the building envelope of the Nahant Housing Authority buildings located on Spring and Greystone Roads including all incidental and related costs, but if and only if NHA has first reported the exact and detailed nature of any preservation efforts it intends to, and receives approval to proceed from, the CPC and the Town Administrator before the CPC releases any such funds for the purposes stated herein.

*Supporting Statement – The Committee discussed the Nahant Housing Authority’s application in great detail. The Committee expressed concern that the original proposal to preserve the buildings envelopes, protect against mold and other outside penetration, and to reverse further deterioration, the material initially proposed did not meet community standards for the Town’s character and failed to blend with surrounding homes and structures. In short, vinyl, though durable may not be the best solution; however, the CPC agreed a problem and need existed. Accordingly, the NHA Commissioners agreed that the NHA’s Executive Director, Ms. Kelly Collins, would meet with, consult, and work with CPC Members and the Town’s Administrator to find a solution agreeable to the Town and the CPC that worked best for the Town, while simultaneously protecting the assets and residents therein. Only after an agreeable solution is found, would any funds be released, if at all. Many residents have expressed concern for the need to keep those properties in good condition from what*

*many passersby observe as, at minimum, unsightly and increasingly concerning conditions. Given those stringent parameters, the CPC supports the grant request.*

- K. To appropriate the sum of \$41,000 from FY 2021 Community Preservation estimated revenues for Bailey's Hill Park - Fort Ruckman East Slope Restoration, consistent with the Town's request for CPA funding, including all incidental and related costs.

*Supporting Statement – The Nahant Open Space and Recreation Plan Committee identified Bailey's Hill and connected Heritage Trail area as ready for restoration. Once done it will increase the open space in and around Bailey's Hill park. Passive recreation areas will be increased, made safer and open to the public. The Nahant Department of Public Works is ready to begin phase one of the project this year.*

*The Bailey's Hill Complex is a well-used and valued open space in Nahant. The Heritage Trail traverses the bunkers and provides passive recreation for residents. The subject location is adjacent to the Heritage trail, a well-used walking trail that connects open spaces in Nahant.*

*The Nahant DPW Director provided a plan to the Open Space and Recreation Plan Committee to restore the east slope of Bailey's Hill. This area has been neglected for many years. There are extensive invasive species that choke off native vegetation. In its current condition it is not usable as open space or recreation.*

*The Community Preservation Committee ("CPC") recognizes the need to restore this popular park and heritage trail system. The intention is to fund half of the restoration requirements for \$41,000 this year. Next year, we anticipate the grant application will be resubmitted to the CPC for the completion phase of the restoration project. The grant application for next year may include private donations to support the project.*

*The CPC recommends this article as an important initiative for community preservation of open space and recreation.*

- L. To appropriate the sum of \$27,000 from the FY 2021 Community Preservation estimated revenues to make improvements to the Lowlands Softball Fields for the purpose of promoting recreation in the Town of Nahant, consistent with the Town of Nahant's request for CPA funding including all incidental and related costs.

*Supporting Statement – The Lowlands softball fields, south of Nahant Road, are one of the major features of the gateway to Nahant. Last year CPC funds supported renovations to the Women's Softball Field which have greatly improved the appearance and utility of that facility. On the adjoining Men's Softball Field, the deteriorating backstop, benches and outfield fencing are unsightly and unsafe. This project will replace them and purchase new benches for the Women's field as well and a sign announcing both fields.*

- M. To appropriate the sum of \$165,000 consisting of \$128,165 from FY 2021 Community Preservation estimated revenues and \$36,835 from CPC General Reserves for preservation of the Town Hall to fund priority handicapped access work consistent with the request by the Town of Nahant, including all incidental and related costs.

*Supporting Statement – Nahant's Town Hall is used intensively for meetings large and small; for office use and public use for records, payments, and inquiries; for voting; and notably by the Council on Aging's Tiffany Room where meals are served along with social and recreational activities. At present handicapped access is limited to portions of the ground floor level. Technically the Council on Aging space is not handicapped accessible. The exterior ramp that once served the upper floor is in poor repair and does not meet the current handicapped code. A Community Preservation funded assessment and recommendations study (FY17 and FY19) has guided the scope and budget recommendations for this appropriation which will build a new ramp to the upper floor, make the Council on Aging space accessible, and modify the restrooms and door hardware to meet the Massachusetts Architectural Access Boards code requirements.*

- N. To appropriate the sum of \$24,000 Community Preservation Fund General Reserves for the use of the Town of Nahant to make improvements to Little Nahant Playground for the purpose of promoting recreation and the use of open space in the Town of Nahant consistent with the request by the Town of Nahant, including all incidental and related costs.



*Supporting Statement – Little Nahant Playground is the only open space on Little Nahant and its only recreation facility for children. The surface of the park badly damaged in recent flooding will be repaired by a grant from FEMA. The previous recreation equipment had to be removed for safety considerations. It will be replaced by a multipurpose jungle gym carefully selected to provide maximum utility and durability—built of recycled plastic, impervious to salt – at a reasonable cost. The initial grant request of \$30,000 covering replacement of deteriorated benches and tables was reduced to \$24,000 because some of that furniture was repaired, but primarily to ensure that adequate funds are available to buy a high-quality centerpiece jungle gym, with the hope that private donations to purchase new furniture may be stimulated by the restored equipment and active use of the park.*

- O. To appropriate the sum of \$12,000 from Community Preservation Fund General Reserves for the use of the Town of Nahant to restore the basketball court on Spring Road for the purpose of promoting recreation in the Town of Nahant consistent with the request by the Town of Nahant including all incidental and related expenses.

*Supporting Statement – The once heavily used basketball court on Spring Road has fallen into disrepair as the court surface, basketball hoops, and backboards have deteriorated and invasive plants including poison ivy have crept from the periphery onto the playing surface. This project will underwrite a great deal of work at a modest cost: resurfacing and repainting lines on the court, two new steel stanchions, fiberglass backboards and hoops, and approximately 175 feet of fencing on two sides of the court to keep plants out and basketballs in.*

- P. To recommend that the Town transfer \$3,809.93 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2014 Community Preservation funds for the Recreation Feasibility Study for the Flash Road recreation area to the Community Preservation General Reserve.
- Q. To recommend that the Town transfer \$159.72 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2014 Community Preservation funds for the Wharf Sea Walls project to the Community Preservation General Reserve.
- R. To recommend that the Town transfer \$12,830.06 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2016 Community Preservation funds for the Wharf Boat Ramp project to the Community Preservation General Reserve.
- S. To recommend that the Town transfer \$29.45 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2018 Community Preservation funds for the Town Hall, Library, Ellingwood Chapel building envelope assessment study to the Community Preservation General Reserve.
- T. To recommend that the Town transfer \$ 0.41 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2018 Community Preservation funds from the 10-year Wharf bond to the Community Preservation General Reserve.
- U. To recommend the Town set aside from Fiscal Year 2020 Community Preservation Fund revenues for later appropriation any other amount not otherwise set aside or appropriated as aforesaid to be maintained in the Community Preservation Fund General Reserves Account for later appropriation.
- V. To appropriate through borrowing the sum of \$1,500,000 to pay a portion of the costs to acquire the fee simple or a lesser interest in all or a portion of the land located at 430 Nahant Road, Nahant, [shown on Assessors Map/Lot as 1B-0-1,] and described in a deed recorded with the Essex South District Registry of Deeds in Book 5344, Page 142, for open space, recreation, conservation and/or historic preservation purposes and an easement to use certain portions for beach purposes as shown on a plan on file with the

Town Clerk, including the payment of all costs incidental or related thereto, [the expenditure of which is] subject to:

- (i) a vote of the Town to acquire the above-described property, and
- (ii) the receipt by the Town of grants or gifts in the amount of at least \$3,000,000 or such larger amount as shall be required, together with the amount appropriated at this Town Meeting, to pay the purchase price or pro tanto amount, as the case may be, of acquiring such interest in the above-described property,

and, further, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow the sum of \$1,500,000 under G.L. c. 44B, G.L. c. 44, §7, 8, or any other enabling authority, and to issue bonds or notes of the Town therefor, and any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, as amended, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, and to take any other action relative thereto.

*Supporting Statement – The Committee found all aspects of the application consistent with and well within the parameters of the Community Preservation Act. Further, the BOS must legally secure as binding gifts to the Town totaling at least \$3 million from private donations. The \$1,500,000 borrowing will be repaid from CPC funds over 30 years to cover principal and interest (P&I). Together, these costs address the acquisition of the easements and associated legal and other fees.*

*Further still, the Committee also observed that the matters raised by the Application have become increasingly urgent. Current and proposed activity on that property make even more difficult the Town's ability to preserve and protect the open space and wildlife preserve that is East Point. Moreover, the Application reflects a measured approach regarding a matter involving a high degree of important public concerns. Moreover still, repeated demonstrations of an overwhelming number of Nahant residents made clear their desire to preserve as open space, further protect from adverse climate conditions, and use as watershed and wetlands the areas of Canoe Beach and East Point at issue. If approved, this Warrant will provide funds necessary to acquire the property interests to be preserved for the current residents ourselves and our posterity. Consequently, for these and many reasons, the Committee highly recommends and urges approval.*

The following table shows proposed appropriations and reserves being recommended by the CPC as well as projected revenue.

Appendix C — Recommendations and Estimates

**Fiscal Year 2022 and FY 2021 CPC Appropriation Recommendations by CPA Category  
and  
Projected Impact on CPA Reserves March 30<sup>th</sup>, 2021**

<b>Fund</b>	<b>Authorization</b>	<b>Open Space Reserve</b>	<b>Histor. Reser.</b>	<b>General Reserves</b>	<b>Transfer</b>	<b>Housing Reserves</b>	<b>2021 &amp; 2022 CP Revenue</b>	<b>Administrative</b>
<b>Article 21: From Community Preservation</b>								
Article 21A Administrative Expenses-FY22	\$10,000.00						(10,000.00)	Administrative
Article 21B Little League FY22	\$32,375.00						(32,375.00)	Recreation
Article 21C American Legion FY22	\$4,000.00						(4,000.00)	Historic
Article 21D Tennis & Basketball Courts FY22	120,000.00						(120,000)	Recreation
Article 21F Public Library Bond FY22	55,200.00						(55,200.00)	Historic
Article 21G Ellingwood Chapel FY21	\$50,000.00						(50,000.00)	Historic
Article 21H Dory Club Gangway & Floating Docks FY21	\$17,000.00						(17,000.00)	Recreation
Article 21I NHA Window Replacement FY21	\$45,000.00					11,760.00	(33,240.00)	Housing
Article 21J NHA Bldg. Envelope Spring & Greystone Rds. FY21	155,000.00					155,000.0	\$0.00	Housing
Article 21K Bailey's Hill, Fort Ruckman, East Slope FY21	\$41,000.00						(41,000.00)	Open Space
Article 21L Lowlands Softball Fields FY21	\$27,000.00						(27,000.00)	Recreation



Appendix C — Recommendations and Estimates

Article 21M Town Hall ADA Improvements	165,000.00	\$36,835.00	(128,165.0)	Historic	
Article 21N Little Nahant Playground	\$24,000.00	\$24,000.00	\$0.00	Recreation	
Article 21O Spring Road Basketball Court	\$12,000.00	\$12,000.00	\$0.00	Recreation	
Article 21P Close Recreation Feasibility Study Article FY2014		(\$3,809.93)	\$0.00	Reserves	
Article 21Q Close Wharf Sea Walls Article FY2014		(\$159.72)	\$0.00	Reserves	
Article 21R Close Wharf Boat Ramp FY2016		(12,830.06)	\$0.00	Reserves	
Article 21S Close TH, Library, Chapel Assessment FY18 Article		(\$29.45)	\$0.00	Reserves	
Article 21T Close Wharf Debt FY2018 Article		(\$0.41)	\$0.00	Reserves	
Article 21U Set aside for General Reserve of unallocated revenues					
Article 21V East Point/Canoe Beach Preserve					
<b>Total Articles</b>	<b>\$757,575</b>	<b>56,005.43</b>	<b>\$0.00</b>	<b>166,760.0</b>	<b>(517,980.0)</b>
<b>Current CPA Reserves</b>	<b>\$0.0</b>	<b>\$322,499.7</b>	<b>202,409.5</b>	<b>\$524,909.3</b>	<b>2</b>
<b>Total CPA Reserves if Votes Approved Above</b>	<b>\$0.0</b>	<b>\$266,494.3</b>	<b>\$0.00</b>	<b>\$35,649.5</b>	<b>\$302,143.8</b>
	<b>0</b>	<b>0</b>	<b>0</b>	<b>9</b>	<b>9</b>

## Appendix D — Bond Recommendations and Calculations

The Community Preservation Committee (CPC) has made recommendations for FY21 and FY22 to fund two major grants through the use of long-term municipal bond borrowings. Those two borrowings were in addition to an already existing ten-year \$400,000 bond passed in FY19 for the Nahant Public Library terrace structural restoration project, which was completed in 2020. The actual Library borrowing took place in FY21 with a first payment of principal and interest to be made in FY22 and a final payment to be made at maturity in FY31.

The two bonding articles being recommended by the CPC are:

1. Article 21E recommends a \$500,000 borrowing for necessary repairs and improvements to the Nahant Public Library, Town Hall, and the Greenlawn Cemetery Entry Arch and perimeter walls. This would be ten-year bond, with a first payment of principal and interest to be made in FY23 and a final payment to be made at maturity in FY32.
2. Article, 21V, recommends a \$1,500,000 bond to pay for the acquisition by the Town of Nahant of certain easement rights covering certain portions of the land at East Point depicted on a map filed with the Town Clerk, subject to conditions, namely (1) the vote by the Town to acquire the property; and (2) receipt by the Town of at least \$3,000,000 of privately raised funds. The \$1,500,000 would be bonded for thirty (30) years, with the borrowing to take place perhaps as early as FY22 with a first payment of principal and interest to be made in FY23 and a final payment to be made at maturity in FY52.

In these situations the use of borrowed funds is required in order to accomplish the purpose of the grant within the time period needed to allow the projects to move forward as planned. While there are advantages to borrowing, there are consequences as well.

The attached chart (prepared by Hilltop Securities, financial advisors to the Town and its bonding counsel, with Alison Nieto, Finance Director and Town Accountant) shows first the Total Amount of Revenue estimated to be available to the CPC for appropriation over a 31 year period comprised of (i) the estimated annual 3% surcharge collected by the Town assuming an annual growth rate of 2.5% per annum; (ii) the state match at an assumed 50% rate (Note that the State Match for the Town of Nahant since adoption in 2004 has been at a 70.8% rate) and (iii) a nominal interest figure. The chart then goes on to show the annual principal and interest payments for each of the three individual borrowings and the net Available Funds Remaining to the CPC after those principal and interest payments. As you can see from the chart, the net Community Preservation funds available for grant-making will be most impacted in the initial years; and importantly FY23, next year, is most affected with just under \$100,000 available for new grants. Fortunately, the CPC has taken that situation under consideration in its planning and has provided for a general reserve going into FY 23 of approximately \$266,000 and a housing reserve of some \$73,000. In essence, there will be little, if any, change in the manner in which the CPC reviews and recommends grants for FY23.

It is useful to reflect on the record of CPC funding as seen in this report. In the past five years alone, CPC grants have supported the following: Community Housing -- \$200,000; Recreation -- \$436,000; Open Space -- \$102,000 (plus the projected \$1.5 m for East Point); Historic Preservation \$1,131,000 (plus the projected \$500,000 for the Public Library, Town Hall and Greenlawn Cemetery entry arch and walls). The chart demonstrates the ability of the CPC to pay the principal and interest on these three bonds while at the same time continuing the grant-making that has so enriched Nahant's historic resources, open spaces, recreational facilities, and community housing.

Appendix D — Bond Recommendations and Calculations

CPC Available Funds																	
After 1,500,000																	
Borrowed																	
30-Mar-21																	
CPC	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	FY34	FY35	FY36	
Estimated Surtax	220,938	216,000	221,400	226,935	232,608	238,424	244,384	250,494	256,756	263,175	269,754	276,498	283,411	290,496	297,758	305,202	
Estimated State Share	175,243	108,000	110,700	113,468	116,304	119,212	122,192	125,247	128,378	131,588	134,877	138,249	141,705	145,248	148,879	152,601	
Estimated Interest	1,000	1,025	1,051	1,077	1,104	1,131	1,160	1,189	1,218	1,249	1,280	1,312	1,345	1,379	1,413	1,448	
<b>Estimated Revenue CPC</b>	<b>397,181</b>	<b>325,025</b>	<b>333,151</b>	<b>341,479</b>	<b>350,016</b>	<b>358,767</b>	<b>367,736</b>	<b>376,929</b>	<b>386,353</b>	<b>396,011</b>	<b>405,912</b>	<b>416,059</b>	<b>426,461</b>	<b>437,122</b>	<b>448,051</b>	<b>459,252</b>	
Debt \$1.5 Million 30 Years	0	0	110,000	108,000	106,000	104,000	102,000	100,000	98,000	96,000	94,000	92,000	90,000	88,000	86,000	84,000	
Available Funds Remaining	397,181	325,025	223,151	233,479	244,016	254,767	265,736	276,929	288,353	300,011	311,912	324,059	336,461	349,122	362,051	375,252	
Debt \$500K 10 Years	0	0	70,000	68,000	66,000	64,000	62,000	60,000	58,000	56,000	54,000	52,000					
Available Funds Remaining	397,181	325,025	153,151	165,479	178,016	190,767	203,736	216,929	230,353	244,011	257,912	272,059	336,461	349,122	362,051	375,252	
Library \$400K Debt 10 Years	0	55,200	53,600	52,000	50,400	48,800	47,200	45,600	44,000	42,400	40,800						
Available Funds Remaining	397,181	269,825	99,551	113,479	127,616	141,967	156,536	171,329	186,353	201,611	217,112	272,059	336,461	349,122	362,051	375,252	
<b>CPC</b>	<b>FY37</b>	<b>FY38</b>	<b>FY39</b>	<b>FY40</b>	<b>FY41</b>	<b>FY42</b>	<b>FY43</b>	<b>FY44</b>	<b>FY45</b>	<b>FY46</b>	<b>FY47</b>	<b>FY48</b>	<b>FY49</b>	<b>FY50</b>	<b>FY51</b>	<b>FY52</b>	<b>Total</b>
Estimated Surtax	312,832	320,653	328,670	336,886	345,308	353,941	362,790	371,859	381,156	390,685	400,452	410,463	420,725	431,243	442,024	453,075	4,094,234
Estimated State Share	156,416	160,327	164,335	168,443	172,654	176,971	181,395	185,930	190,578	195,342	200,226	205,232	210,362	215,621	221,012	226,537	2,111,891
Estimated Interest	1,485	1,522	1,560	1,599	1,639	1,680	1,722	1,765	1,809	1,854	1,900	1,948	1,996	2,046	2,098	2,150	19,380
<b>Estimated Revenue CPC</b>	<b>470,733</b>	<b>482,501</b>	<b>494,564</b>	<b>506,928</b>	<b>519,601</b>	<b>532,591</b>	<b>545,906</b>	<b>559,554</b>	<b>573,543</b>	<b>587,881</b>	<b>602,578</b>	<b>617,643</b>	<b>633,084</b>	<b>648,911</b>	<b>665,134</b>	<b>681,762</b>	<b>6,225,505</b>
Debt \$1.5 Million 30 Years	82,000	80,000	78,000	76,000	74,000	72,000	70,000	68,000	66,000	64,000	62,000	60,000	58,000	56,000	54,000	52,000	1,358,000
Available Funds Remaining	388,733	402,501	416,564	430,928	445,601	460,591	475,906	491,554	507,543	523,881	540,578	557,643	575,084	592,911	611,134	629,762	4,867,505
Debt \$500K 10 Years																	610,000
Available Funds Remaining	388,733	402,501	416,564	430,928	445,601	460,591	475,906	491,554	507,543	523,881	540,578	557,643	575,084	592,911	611,134	629,762	4,257,505
Library \$400K Debt 10 Years																	480,000
Available Funds Remaining	388,733	402,501	416,564	430,928	445,601	460,591	475,906	491,554	507,543	523,881	540,578	557,643	575,084	592,911	611,134	629,762	3,777,505
<i>This Borrowing Meets Historic Resource and Open Space Requirements</i>																	

**APPENDIX 13**

**Proposed By-Law Amendment - Article 30 - Marijuana**

**Zoning By-Law Amendments - Marijuana – ATM 2021**

**ARTICLE 30. (Zoning By-Law Amendments - Marijuana).** To see if the Town will vote to amend the Nahant Zoning By-Laws by add the following language to **SECTION 2.02 – DEFINITIONS:**

**“Marijuana Cultivator:** Any entity licensed to cultivate, process and package Marijuana, and to transfer Marijuana to other Marijuana Establishments, but not to Consumers.

**Marijuana Establishments:** A Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Microbusiness, Independent Testing Laboratory, Marijuana Retailer, Marijuana Transporter, Delivery Licensee, Marijuana Research Facility Licensee: Marijuana Research Facility Licensee Social Consumption Establishment (as defined in 935 CMR 500.002): Social Consumption Establishment or any other type of licensed Marijuana-related business, except a Medical Marijuana Treatment Center.

**Marijuana Product Manufacturer:** An entity licensed to obtain, manufacture, process and package Marijuana or Marijuana products and to transfer these products to other Marijuana Establishments, but not to consumers.

**Marijuana Research Facility:** The premises at which a Marijuana Research Facility Licensee is approved to conduct research.

**Marijuana Research Facility Licensee:** An academic institution, nonprofit corporation or domestic corporation or entity authorized to do business in the Commonwealth, including a licensed Marijuana Establishment or Medical Marijuana Treatment Center, that is licensed to conduct research.

**Marijuana Retailer:** An entity licensed to purchase, repackage, white label, and transport Marijuana or Marijuana product from Marijuana Establishments and to transfer or otherwise transfer this product to Marijuana Establishments and to sell to consumers. Unless licensed, retailers are prohibited from offering marijuana or marijuana products for the purposes of on-site social consumption on the premises of a Marijuana Establishment.

**Medical Marijuana Treatment Center (MTC) (formerly known as a Registered Marijuana Dispensary (RMD)):** An entity licensed under 935 CMR 501.101 that acquires, cultivates, possesses, processes (including development of related products such as edibles, Marijuana-infused products, tinctures, aerosols, oils, or ointments), repackages, transports, sells, distributes, delivers, dispenses, or administers Marijuana, products containing Marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. Unless otherwise specified, MTC refers to the site(s) of dispensing, cultivation, and preparation of Marijuana for medical use.”;

to add the following new section to the Nahant Zoning By-Laws:

**“SECTION 14**

**MARIJUANA ESTABLISHMENTS AND  
MEDICAL MARIJUANA TREATMENT CENTERS**

**SECTION 14.01 – Purpose**

It is recognized that the nature of the substance cultivated, processed, and/or sold by Medical Marijuana Treatment Centers (MTC) and Marijuana Establishments (ME) may have objectionable operational characteristics and should be located in such a way as to ensure the health, safety, and general well-being of the public, customers as well as patients seeking treatment. The specific and separate regulation of MTCs and MEs is necessary to advance these purposes and ensure that such facilities are not located within close proximity of minors and do not become concentrated in any one area within the Town of Nahant.

**SECTION 14.02 – Number and Location of Marijuana Establishments and Medical Marijuana Treatment Centers**

A. Number

1. The maximum number of Marijuana Retailers shall be no more than one (1).
2. The maximum number of marijuana cultivators, marijuana testing facilities, research facilities, marijuana product manufacturer or any other type of licensed marijuana-related business (exclusive of marijuana retailers or MTCs) shall be no more than one (1) in total.
3. The maximum number of MTCs shall be no more than one (1).

B. Location, Uses and Special Permit Granting Authority

1. MEs or MTCs are prohibited in all zoning districts, except as otherwise permitted by these By-laws, following the standards herein:
  - a. The Board of Selectmen shall negotiate and execute a Host Community Agreement with the proposed ME or MTC.
  - b. Any ME or MTC must be located within whichever district permissible under Section 4.13, Table of Use Regulations.
  - c. Except during transportation, Marijuana or Marijuana products held at any ME or MTC shall be located within a secure indoor facility.
  - d. No use covered herein shall be allowed to disseminate or offer to disseminate Marijuana products or product advertising to minors or to allow minors to view displays or linger on the premises, except for MTCs.”
2. Notwithstanding Section 9.08.A. of these Zoning By-Laws, the Planning Board shall be the Special Permit Granting Authority regarding MEs and MTCs.”; and

to amend Section 4.13, Table of Use Regulations to reflect the following:

<u>Description of Use</u>	“Zoning Districts:					
	<u>R-1</u>	<u>R-2</u>	<u>B-1</u>	<u>B-2</u>	<u>NR</u>	<u>P</u>
Marijuana Establishments	N	N	S	S	N	N
Marijuana Treatment Centers	N	N	S	S	N	N”,

or take any other action relative thereto.

End

**APPENDIX 14**

**Article 38 - General By-law Amendment - Non-Compostable Shopping Bag Reduction**

**Non-Compostable Shopping Bag Article – ATM 2021**

**ARTICLE 38. (General By-Law Amendment - Non-Compostable Shopping Bag Reduction).** To see if the Town will vote to amend the Nahant General By-Laws by adding the following new Article:

**“ARTICLE XIX  
NON-COMPOSTABLE SHOPPING BAG REDUCTION**

**Section 1. Purpose**

The production and use of thin-film, single-use checkout bags have been shown to have significant detrimental impacts on the environment, including, but not limited to, contributing to the potential death of marine animals through ingestion, suffocation, and entanglement; contributing to pollution of the land environment; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil nationally for their manufacture. The purpose of this by-law is to eliminate the usage of thin-film, single-use plastic bags by all Retail Establishments in the Town of Nahant thereby promoting the health and safety of the citizens of the Town through the preservation of the environment.

**Section 2. Definitions**

The following words shall, unless context clearly indicates otherwise, have the following meanings:

ASTM D6400 - The American Society for Testing and Materials (ASTM) International "Standard Specification for Compostable Plastics" which includes those plastics and products made from plastics that are designed to be composted under aerobic conditions in municipal and industrial aerobic composting facilities.

ASTM D7081 - ASTM International "Standard Specification for Biodegradable Plastics in the Marine Environment" which includes those plastics and products that are designed to be biodegradable under the marine environmental conditions of aerobic marine waters or anaerobic marine sediments, or both.

Carryout Bag - A bag provided by a Retail Establishment to a customer at the point of sale for the purpose of removing products purchased therein. Carryout bags shall not include those bags, whether plastic or not, intended for the use by a customer for placing loose produce or other bulk food items to carry to the point of sale or checkout area of the store.

Compostable Plastic Bag - A plastic bag that conforms to the current ASTM D6400 specifications for compostability; is certified and labeled as meeting the ASTM D6400 standard specifications by a recognized verification entity.

Marine Degradable Plastic Bag - A plastic bag that conforms to the current ASTM D7081 standard specification for marine degradability.

Recyclable Paper Bag - A paper bag that is one-hundred (100) percent recyclable including the handles; contains at least forty (40) percent post-consumer recycled paper content; and displays the words "recyclable" and "made from 40% post-consumer recycled content" (or other applicable amount) in a visible manner on the outside of the bag.

Retail Establishment - Any commercial business facility that sells goods directly to the consumer including but not limited to grocery stores, pharmacies, liquor stores, restaurants, barber shops, "mini-marts," and retail stores and vendors selling clothing, food and personal items.



Reusable Bag -\_A bag with handles that is specifically designed for multiple reuse and is either made of cloth or other washable fabric; or made of durable plastic three mils in thickness, or of some other durable material; does not contain lead, cadmium, or any other heavy metal in toxic amounts.

Thin-Film, Single-Use Plastic Bags - Those bags typically with handles, constructed of high-density polyethylene, low-density polyethylene, linear low-density polyethylene, polyvinyl chloride, polyethylene terephthalate, polypropylene (other than woven and non-woven polypropylene fabric) if said film is less than 3.0 mils (0.0762mm) in thickness and which do not meet the ASTM D6400 and ASTM D7081 standard specifications.

### **Section 3. Thin-film, Single-Use Plastic Bags Prohibited**

- a. No Retail Establishment in the Town of Nahant shall provide Thin-Film, Single-Use Plastic Bags to customers.
- b. If a Retail Establishment provides Carryout Bags to customers, the bags must be one of the following: 1. Recyclable Paper Bag; 2. Reusable Bag; 3. A Compostable Plastic Bag made from a polymer which meets the specifications of ASTM D6400; or 4. 3. A Marine Degradable Plastic Bag made from a polymer which meets the specifications of ASTM D7081.

### **Section 4. Enforcement; violations and penalties.**

The Board of Selectmen, and persons designated by the Board of Selectmen, shall have the authority to administer and enforce this by-law

Whoever violates any provision of this by-law may be penalized by the non-criminal disposition process set forth in Article XIII of the Nahant Police By-Laws. The following penalties apply:

- 1st offense: Warning
- 2nd offense: \$ 25.00
- 3rd offense: \$ 50.00
- 4th offense: \$100.00
- 5th and subsequent offenses, absent any mitigating circumstances: \$300.00.

Each day on which a violation exists shall be deemed to be a separate offense.

### **Section 5. Severability; effective date.**

Each section of this by-law shall be construed as separate to the end that if any section, sentence, clause or phrase thereof shall be held invalid for any reason, the remainder of that by-law and all other by-laws shall continue in full force.

This by-law shall take effect six (6) months following the effective date of this by-law to allow time for Retail Establishments to use their existing inventory of plastic checkout bags and to convert to alternative packaging materials.

### **Section 6. Regulations.**

The Board of Selectmen may adopt and periodically amend rules and regulations to effectuate the purposes of this by-law. Prior to the adoption and subsequent amendment to the rules and regulations, if any, the Board of Selectmen shall hold a public hearing. Notice of the time and place of the hearing, and of the subject matter, sufficient for identification, shall be published in a newspaper of general circulation in the Town once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days before the day of the hearing. A copy of the adopted regulations shall be made available at the office of the Town Clerk and as otherwise deemed

appropriate by the Board of Selectmen. Failure by the Board of Selectmen to promulgate such rules and regulations shall not have the effect of suspending or invalidating this by-law.”,

or take any other action relative thereto.

End

## **APPENDIX 15**

### **Article 24 - Wastewater By-law Amendment**

**Draft bylaw language to strengthen Nahant's ability to regulate/enforce prohibition of private inflow sources.**

These additional definitions are to be added to Article I (Definitions) of Nahant's Sewer Bylaws in order to highlight the illegality of private inflow sources:

**"1.29.1 Infiltration - water other than wastewater that enters a sewer system (including sewer connections and foundation drains) from the ground through means which include, but are not limited to, defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.**

**1.29.2 Infiltration/Inflow - the quantity of water from both infiltration and inflow without distinguishing the source.**

**1.29.3 Inflow - water other than sanitary flow that enters a sewer system (including sewer connections) from sources that include, but are not limited to, sump pumps, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration."**

And making the following addition to the end of Article VI, Section 6.5 also would add clarity:

**"This section includes, but is not limited to, inflow. Inflow is strictly prohibited."**

To strengthen the ability to detect Inflow, Section 9.11 of Nahant's Sewer By-laws will be renamed and the following clauses added at the beginning and the end:

**"SECTION 9.11 Power and Authority of Inspectors - Permission for Inspection**

**In order to comply with 314 CMR 12.04(2), the Town of Nahant must implement an ongoing plan to control infiltration and inflow to its sewer system. In order to do so, the Town intends to inspect each building (private and commercial) in the Town of Nahant to determine the existence of unauthorized connections and private inflow sources to the sanitary sewer system.**

...[existing language]

**Regarding the inspections described in the foregoing paragraph, Town of Nahant will send an initial notification letter to subject owner requesting that the owner call to arrange for an inspection. The Town will call any property owner who does not respond to the initial notification letter. Thereafter if the property owner fails to respond, the Town of Nahant will visit the property; if access is denied at that time, a letter will be left requesting that the property owner call the Town of Nahant to schedule an inspection time. If the property owner then fails to contact the Town of Nahant or allow access within 30 days after the letter is distributed, that person will be deemed to be in violation of this by-law. Reasonable times for property inspection shall be between 9 a.m. and 7 p.m., Monday through Friday and 10 a.m. – 4 p.m. on Saturday. Town officials seeking entrance onto private property for such inspections must have a CORI background check on file in the Selectmen's office. Property owners can only be fined 30 days after being warned by the Town via certified mail."**

The following addition to Article X (Enforcement Procedures) will clarify Nahant’s ability to take enforcement action should the LS&WC fail or refuse to do so:

**“SECTION 10.7 Non-criminal disposition**

**Should the Lynn Water and Sewer Commission, upon notification of a violation or a suspected violation of these by-laws, fail or refuse to take enforcement action under this Article, the Town of Nahant shall have to ability to pursue enforcement under Article XIII (Non-Criminal Disposition of Violations) of the Town of Nahant by-laws or the following enforcement procedure:**

**A. Whoever violates this by-law will be punished as follows:**

- 1st offense:     Warning**
- 2nd offense:     \$25**
- 3rd offense:     \$50**
- 4th offense:     \$100**
- 5th and subsequent offenses, absent any mitigating circumstances:     \$300**

**B. The issuance of a citation by the Superintendent of public works for a violation of this by-law shall serve to give the offender notice to appear before the Superintendent of public works, at any time during regular office hours, not later than twenty-one days after the date of such violation. A copy of the citation shall be given to the Town Clerk who shall maintain a docket of all such persons notified to appear.**

**C. Any person so notified to appear before the Superintendent may appear before him or his designee and admit to the offense charged, either personally or through an agent duly authorized in writing or by mailing to the Superintendent the citation, accompanied by the fine imposed, such payment to be made only by postal note, money order or check payable to the Town of Nahant. Payment of the fine established shall operate as a final disposition of the case.**

**D. A citation given as herein provided, shall be deemed a sufficient notice and a certificate of the officer giving such citation that it was given to the person charged in accordance with this by-law, shall be deemed prima facie evidence thereof and shall be admissible in any judicial or administrative proceedings as to the facts contained therein.**

**E. Should any person notified to appear hereunder fail to appear, or having appeared, fail to pay the fine imposed or request a hearing on the matter, the Superintendent shall forthwith schedule the matter before the Nahant Sewer Commissioners. Written notice of the date, time and place of said hearing shall be sent by first class mail to the person notified to appear hereunder. Said hearing shall be informal, the rules of evidence shall not apply and the decision of the hearing officer shall be final, subject to judicial review, as provided by Section 14 of Chapter 30A of the Massachusetts General Laws.”**

Adding the following section requiring for the implementation of a 4:1 I/I removal plan for (re)development projects with wastewater flows of 15,000gpd or greater:

**“SECTION 5.14 4:1 I/I removal plan for large (re)development projects.**

**All new or extended sewer connections with design flows exceeding 15,000 gallons per day (gpd) are required to mitigate the impacts of the development by removing four gallons of infiltration and inflow (I/I) for each new gallon gpd of wastewater flow. In this regard, any new connection or expansion of an existing connection that exceeds 15,000 gpd of wastewater shall prepare an I/I reduction plan that ensures that the additional wastewater flows are offset by the removal of I/I. The 4:1 I/I reduction plan should be finalized at least 90 days prior to activation of water service.”**

End

## **APPENDIX 16**

### **1964 Nahant Annual Town Meeting Transcript**

#### **Discussion of Article 16 from 1964**

**“To see if the Town will raise and appropriate a sum of money for the purchase of United States Government property known as: Launcher Area – Nike Ajax Site B17”**

This transcript from the Nahant Historical Society provides a window into the conversation that occurred at the Nahant Annual Town Meeting when the citizens gathered to debate and decide if the Town should purchase the area of East Point for \$30,000.

1 9 6 4

Annual Town Meeting

N A H A N T

Massachusetts

Town Moderator: Mr. John Lowell

Town Clerk: Mr. S. Barry Cadigan

Reporter: Annette Nahigyan  
426 York Street  
Canton, Massachusetts  
828-3892

\* \* \* \*



ARTICLE 16

ARTICLE 16: To see if the Town will vote to raise and appropriate a sum of money for the purchase of United States Government property known as Launcher Area-- Nike Ajax Site B-17, Nahant, Massachusetts, in accordance with, and by acceptance of the applicable statutes providing for said purchase, and to determine whether the money shall be provided by raising and appropriating, appropriation from available funds in the treasury and/or by borrowing under authority of Chapter 44 of the General Laws of the Commonwealth of Massachusetts or take any other action in relation thereto.

MR. MODERATOR. The Chair would like to say with respect to these Articles on acquiring property or easements or abandoning properties or easements, a two-thirds vote is required. Mr. Cushing.

MR. CUSHING. Motion: I move that the Town vote to indefinitely postpone action on this Article.

MR. HART. Seconded.

MR. MODERATOR. Seconded by Mr. Hart. Any discussion? Doctor Famulari.

DR. FAMULARI. What happens to this land when the Town refuses?

MR. MODERATOR. Well, I assume the state will then dispose of it in accordance with the usual procedure. I believe the Town is offered the first and then after that I think it is offered to some other public bodies and

finally it may be put up for auction to private developers. I believe that's about the sequence.

Any further discussion? If not, will those in favor--Mrs. Alexander.

MRS. RUTH ALEXANDER. I am sure that all the Townspeople in Nahant wish that this area could be left, but we are all afraid of what would happen if it is left for us to own and then all of Boston, Somerville, Chelsea, etc. occupy it because we would have to leave this wide open to the world as the Advisory Committee has told us.

The thing that occurs to me is have we given this enough real consideration? If, in the first place it is a fact that we are bothered here in Nahant with our beaches because Somerville, Boston, Chelsea, etc. have used up all their land where people can play and they are overcrowded and so they have to go a little farther afield and come to Nahant and other places.

Now, if we as Nahanters use up the little extra land that we have, which is mighty small according to our population, it never could be what is considered by people of technology sufficient for the freedom of children in particular.

Have we given this enough thought? I just wondered if we aren't giving up something that in a few

years we'd be pretty sorry about.

Now, as for the crowds of people coming down here, certainly we don't want that, but have enough people gotten together about this thing and do we know that this thing cannot be figured out? I think with our parking regulation certainly there can't be too many people that come and go there because they aren't allowed to park anyway and the out-of-towners would have the same privilege that we have which would be that you could walk to this place and enjoy it. And this would be fine.

And you know and I know that if picnicking is restricted, if the various things are restricted, which it is possible for us to restrict, this isn't going to look as attractive to a lot of people because most people don't like to just go walk somewhere.

And I just feel, I don't know about the legal aspects of this, I don't know what our possibilities are but what I wish is that some committee of volunteers, if it was possible for some committee of volunteers to figure out how we can keep this and have it a beauty spot and have our walk around the rocks continued as it used to be around this area . . . After all, we have it. It's in our Town and are we quite willing to just give it up? Isn't it just possible for us to have this land and then we decide that

this is absolutely impossible, can't we then give it back to the Government?

I don't know about the law, but I just think it's awfully too bad that all of this happens in such a few days when it is such a potential place. I think many of us have been to Monterey in California and I think, also, you can agree, with this place arranged with trees, Town forrest, call it whatever it need be, if it is carefully planned it could be something that we could be awfully proud of, awfully useful to us, better for all of our children. These are the ones that it means most to to have some place that they can go off and a small woods like this would be to them a great forrest.

I know when I was growing up just having a little woods that I could go to myself, not in the company with others but as you wish to go, it makes a tremendous difference to the whole - oh, I don't know, the whole so of a child.

And I just wondered is there somebody here who can suggest some way that we can be given a little time on this and we don't let this slip through our hands because we haven't thought of it carefully.

I think this is certainly a cheap price for a land of this caliber. I know there are difficulties. I

know the Police Department are horrified but can't we as a Town, aren't we big enough, can't we get together and form some way of doing this and doing it well in cooperation with the police and have something we'll be proud of and just mother? (APPLAUSE AND CHEERS.)

MR. MODERATOR. Any further discussion? Mr. Mooney speaking on the motion to indefinitely postpone action under Article 16.

MR. MOONEY. Mr. Moderator: I just wanted to ask a question or a few questions as far as the land in itself is concerned. When the Government took the land from the Town of Nahant there wasn't any restrictions on the land in itself and I can't understand why, when they want to give it back to us, they give us restrictions as far as why it has to be used for a certain thing when they took it from us -- that wasn't the case?

MR. CUSHING. Bought it.

MR. MOONEY. They bought it?

MR. MODERATOR. They didn't buy it from the Town. I believe they acquired it from a private individual.

MR. MOONEY. The second question was the fact, is there any time limit as far as making this decision is concerned in giving them an answer?

MR. MODERATOR. Mr. Kelley, would you answer that

question, please?

MR. KELLEY. The answer is the Government wants to know right away. They wanted to know five days after they offered it to us but we told them they would have to wait until this month and we stalled them since about last August. They want an understanding and it is understood that we will give them an answer this month.

MR. MOONEY. In other words, Mr. Kelley, if this were referred to a committee, we would not have time to act, is that correct?

(A dog howls outside Hall.)

MR. MODERATOR. Charley, those are your props for Article 56. (APPLAUSE AND LAUGHTER.)

MR. KELLEY. I might say, Mr. Moderator, nothing is going right for me today. (LAUGHTER.)

MR. MODERATOR. I think the answer to your question, Mr. Mooney, is that there is very little time left to the Town to make a decision one way or the other.

Do you have another question?

MR. MOONEY. Mr. Kelley, do you know if this is given to either private developers or non-profit organizations, would the same restrictions be put on them as they are on us right now?

MR. KELLEY. Mr. Moderator, there has been some

good questions raised here and all of them have been raised by the members of the Board of Selectmen, of the Advisory Committee, of the Planning Board or the Conservation Commission, all of which have met on this matter I think twice, at least twice. We have been studying it and it's been under discussion many times for the past two or three years.

If the Town does not buy the land from the Government, and the Government will dispose of it through General Services Administration, chances are they will dispose of it, too, by sealed bids. Now, whoever buys the land will be restricted only by the Town zoning and building by-laws. And they are that this area is zoned for 30,000 square foot house lots and single family houses. So, there are approximately 28 acres up there and I would estimate that the very most you could have would probably be 23 to 24 single family homes.

The other point that should be made is this: when this land first became available or we learned it was going to become available, we all thought, myself probably most of all, that it would be just wonderful for the Town to acquire it. It's a beautiful spot. The view is breathtaking. No question about it. However, as you get deeper into it, there are many factors you must

consider. 1) the area is completely honeycombed up there. Not completely but generally with underground works. These are very dangerous. There is one tunnel in there that must be 1,000 feet long in pitch darkness, the various services underneath the open manholes, and so forth. Where the old Nike missiles were kept I think there are three sites there that go down 35 feet. These will have to be made safe before anyone would be permitted in there. And in order to make them safe, to my way of thinking, would require an expenditure of a great deal of money. If the Town didn't make it safe, we would be liable for a very serious court action if someone is hurt or injured.

The most desirable area is where the old Henry Cabot Lodge home was on the farthest point up. This is completely hardtopped and this is where the underground Nike sites are. And I have just learned from talking to General Services yesterday that the Navy Department is interested in exactly this area. They want approximately three acres of it. All well and good.

The second factor that really concerns us is the fact that we would have to use this for park or recreational purposes. It would have to be open to any citizen of the United States. The physical job of policing the area, I think, would be very costly particularly in



the summer. And if it is open to everyone, I think we are going to have a real, we have a serious traffic problem now, God knows -- I think we would have it multiplied ten times.

As far as saying that you can't park, I don't think you are going to get away with that sort of thing. The whole theory of the Federal Government in offering this land to a municipality is that it will be used as recreational area for everyone and I don't think you are going to be restricted in any way, shape or manner. The Department of Interior who has approved it for recreational use has said so in a letter.

So, you have an initial expense of approximately \$30,000.00. How much it would cost to make the area safe, I wouldn't even dare guess. But, I would say that you could add another \$30,000.00. How much it would cost to police it properly during the summer, I'd say two or three policemen to keep that area properly policed.

Thirdly, you just don't buy it and leave it the way it is. The Federal government requires you to submit-- if they are going to give it to you for half price--you have got to submit a program to them showing your plans for development and you are expected to follow them through.

So, you are going to have initial expense to buy

it, initial expense to make it safe, a constant expense to police it, and a constant expense to bring it up to a real recreational area which the Government expects you to do. And then, of course, the constant expense of maintaining it.

As much as it would be nice for the Town to have it, it boils down to this: can we afford it? It is my opinion, personally, I believe it is the Board of Selectmen's opinion and the Advisory Board's opinion that this is a luxury and an expense the Town is not prepared to take on.

So, I hope that we will indefinitely postpone it.

MR. MODERATOR. Any further discussion? Mr. Chamberlin:

MR. CHAMBERLIN. Mr. Kelley, I want to compliment you. That was one of the best, most logical speeches you ever made. (LAUGHTER AND APPLAUSE.) And he's made a lot of logical speeches, too.

Ladies and gentlemen: Mr. Kelley said it all. It's not the first cost, it's the unlimited expense. These are not too much when he said \$30,000.00 or \$50,000.00 or \$100,000.00. I can attest myself. I say to put that in shape from what I have seen of it would cost you \$200,000.00 and don't think that is too high.

He said it all in one word or one sentence:  
it's a luxury this Town cannot afford at this time, and  
I hope you will vote "no."

MR. MODERATOR. Is there any further discussion?  
Miss Hammond.

MISS HAMMOND. My father and I about five or  
six years ago -- want me to come down there?

MR. MODERATOR. No, I can hear you.

MISS HAMMOND. My father and I wrote about five  
or six years ago, when the Army was not occupying that  
site, to Washington and to Battle Creek to see if it could  
be used as an air raid shelter. Anybody thought anything  
about that at all?

MR. MODERATOR. Mr. Kelley, do you care to answer  
that at all?

MR. KELLEY. The answer is yes, Miss Hammond.  
We thought about it very seriously in 1960 and 1961, I  
believe. As a matter of fact, Mr. Cadigan, who was then  
on the Board of Selectmen at that time, went to Washington--  
completely hopeless trip-- (LAUGHTER.) --after he got down  
there, he found he should be somewhere down in Ohio where  
Civil Defense was down there.

To be serious about it, it would be an air raid  
shelter, if we had air raids as we had in World War II. It

would be a fall-out shelter in a case of an atomic attack. We had some people from Washington and from the Commonwealth from Civil Defense. He went back to the days of Leon Henderson and the O.P.A. And they went through the Town and said it would be wonderful for a fall-out shelter. They have said if this was a target attack, this would be a prime target area and you wouldn't have to be worried about fall-out. (LAUGHTER.) This is serious.

What really shook me up is after we got through walking through the tunnel he said, "Leon, what about the tidal wave." He said, "What tidal wave?" He said, "Why, you'll have 300 feet of water in this Town if anything drops within 20 or 30 miles.

So, I could see all of us in the tunnel washed right out.

Here is what it boiled down to. This would be wonderful, we'd like to see this for a civil defense area but the Government will not, has not now and has not been and has not now any provision in its laws to pay you or give you any assistance for acquiring land for civil defense use. They will give you some money for equipment for stretcher and so forth, bandages and supplies. But they won't give you a penny for civil defense used for acquiring land. So, we dropped the civil defense angle of it. And

if you want to know my thinking, I concur with the civil defense people.

The Federal government, as a matter of fact, hasn't got any plan today for civil defense and neither does the Commonwealth. And let's face it, I don't think they are ever going to come up with one.

So, if we bought it for civil defense use, there again, we are going to have to spend \$30,000.00 to get it and if you start fixing those tunnels up so we can get the whole Town in there, boy-- (LAUGHTER.) --Steve is too low.

MR. MODERATOR. Any further discussion? Yes, sir, Mr. Platt.

MR. PLATT. If restrictions were put on that land now for the site of that land, would the restriction still hold good if--

MR. MODERATOR. You mean if zoning restrictions were put on the land?

MR. PLATT. No, if the Government restrictions were put on the land now and given to us, why wouldn't those same restrictions hold good?

A VOTER. Because they are selling it to us at half price.

MR. MODERATOR. Would you answer that, Mr. Kelley?

MR. KELLEY. First of all, the appraised value of the land is set by the Government and is \$49,900.00 or something like that. And if we buy it, it will be for park and recreation purposes and we can buy it at fifty per cent of the appraised value. That is where the figure comes from.

The theory behind the Government's thinking, from what I imagine, what they have told me, is they would be happy to sell it for half price if we are going to use it for recreational purposes. In the overall picture, they think that would be a good use. However, if we don't buy it and it goes to a private developer, they will first of all want to get at least \$60,000.00 for it. And if they sell it to a private developer, there will be no restrictions on its use by the Government but the Town has its restriction built in in our zoning by-law.

Does that answer the question, Mr. Platt?

MR. MODERATOR. Thank you, Mr. Kelley. Any further discussion? The question is called for. This gentleman here.

MR. MAHONEY. Mr. Kelley, I'd like to ask a couple of questions on land and also to our attorney.

Mr. Kelley stated the property is assessed for \$60,000.00. Seems to me I would ask the attorney if there

is not a law or at least cases, particularly recalling one in New Jersey wherein the Federal Government took property from a Town such as ours and we lost taxable land. Subsequent, the land became available for sale and when we computed the lost taxes over the period of time in which the property was held by the Federal Government, the Town was able to recoup lost taxes on this basis.

As far as the land itself, I am not convinced of the possibility of Town use. However, I think possibly we have a claim at this time before it turns into private hands if it is not going to stay with the Government.

I also would offer that possibly the General Services putting apparently pressure here. Certainly isn't going to be done, this sale isn't going to be consummated in five days or neither is it going to be consummated at the end of this month.

I suspect, being one who is interested in the Town possibly one day a year, that all these questions have been answered. However, I would like to suggest that possibly if we may look into such a case if it has not been brought to the point. The point is that land taken by the Federal Government, and which was taxable land. And the point was made that this was private property which I assume has a sizable tax, we should recompute the tax loss

on this property for the time the Federal Government had it and present a bill at this time. Maybe we can get the land for nothing, if you want it.

But, I feel, and Mr. Sigourney would want to look this case up, but I think there is a case in New Jersey that brings this point. Maybe the senator or the representative has to present a bill to Congress to carry this through. But, I'm sure the law books will write this case up if it is looked into.

MR. MODERATOR. Is there any simple answer to that question? Mr. Kelley, for the purpose of answering a question.

MR. KELLEY. There are so many, I don't know where to start. First of all, it is not assessed - it's appraised, and that is just a minor point. It is appraised for \$60,000.00 by the Federal Government. What it is really worth, I don't know. What it would be assessed for if it went on the tax rolls I don't know. There has been no pressure whatsoever from General Services Administration upon the Town or any of its officials. If I gave you that impression, it is erroneous. It recently has been most cooperative and helpful with us. Congressman Bates has been most helpful and prior to him Congressman Lane. G.S.A. would like to have an answer as soon as possible. By



I meant I think we've put them off rather than call a special Town Meeting, we have put them off until this Annual Town Meeting. I think it only fair we give them an answer.

The question on taxes, the Federal Government acquired the land from the estate of Henry Cabot Lodge, Sr. and Harmon Elliot, I believe.

MR. MODERATOR. That's right.

MR. KELLEY. And Mr. Mahoney raises a point that I am unprepared to answer. I am not aware of any legislation that permits the Town to recover money in lieu of taxes from the Government. I think that is something we should look into. I think it is something that we will look into. I, for one, will. I'm sure the Board will.

I don't think if the Government disposed of it that we will lose anything because the fact of the matter has been that they've had the land for the last twenty-two years. But, I know of no provisions on the books now that will allow us to recover. I think probably what happened in New Jersey is a special act was probably passed by the Congress to allow this town to recover money. We can try that. How far we would get I don't know but it is worth a try and we shall.

MR. MODERATOR. Any further questions?

A VOTER. Is there any idea about the Town buying it and reselling it? Is that possible?

MR. KELLEY. That is what we have asked ourselves and got this answer. The Town, first of all, is not and cannot be in the real estate business. The Town cannot buy it and resell it under the law. The Federal government will not sell it to us for resale because they say "You are not in the real estate business. If you are going to sell it--buy it from us for \$30,000.00 or \$60,000.00 and sell it at a profit--we'll do the same thing, thank you." So, that is out.

MR. MODERATOR. Any further discussion?

Mr. Henery.

MR. HENERY. If we acquired that at the appraised value, would there then be all these restrictions?

MR. MODERATOR. I think Mr. Kelley has already answered that question.

MR. KELLEY. Yes. If we acquired it, they are very reluctant to sell land to towns with no restrictions on it simply on the basis that they don't want the town in the real estate business. The reason I say that, and I am sure of it, we tried it on a little piece of property up at Bass Point that we tried to use without any use

restriction on it and we were turned down on the basis that what did we want to do with it. We wanted to build a road through it and then sell the rest of it. They said, "Look, we'll give you what you want for the road but we'll sell it, thank you."

MR. MODERATOR. Any further discussion? Mr. Hudson.

MR. HUDSON. I would like to ask what happens if we at this Meeting here vote no on the motion of the Advisory Committee.

MR. KELLEY. If you vote no--in other words, if you defeat the motion to indefinitely postpone?

MR. HUDSON. Yes.

MR. KELLEY. Then I think at that time someone would have to make a motion to buy this land.

MR. MODERATOR. Not necessarily, Mr. Kelley. It could be referred to committee. Almost anything could be done.

MR. HUDSON. Referred to a committee--would it be possible to refer it to a committee?

MR. MODERATOR. Well, the procedure would be, if that is your desire, to defeat the motion to indefinitely postpone. Then you could make whatever motion that might be germane to the question.

MR. HUDSON. May I say a few words on that?

MR. MODERATOR. Yes.

MR. HUDSON. It seems to me there have been several ideas offered here that deserve a little more knowledge. I don't think anyone is actually prepared to answer all the questions. And there have been several ideas propounded. If we vote no, we are not voting yes to buy the land. We are merely voting against an indefinite postponement. If we then have a motion to refer this to a committee, I would think that the committee--it would be a member of the Advisory Committee, of the Planning Board and perhaps one or two people at large from our Town--who could report back to us. It might be worthwhile. I don't think we would be losing anything, anyhow.

MR. MODERATOR. Is there any further discussion? The question is called for. Will those in favor of the motion to indefinitely postpone manifest by saying "aye"; contrary minded "no."

Vote: The motion is carried and the Article is indefinitely postponed.

## **Appendix 17**

### **East Point Map of Areas that are the subject of Article 21-V and Article 22**

Map showing the proposed conservation easement and the proposed access and egress easement.



## **Appendix 18**

### **RKG Associates Report on Fiscal Impact of Proposed Northeastern Facility**

RKG Associates, Inc. (RKG), a real estate planning and economic development consulting firm, was contracted by KP Law on the behalf of the Town of Nahant to provide an independent review of a preliminary financial analysis by the Nahant Board of Selectmen (BOS) with respect to a Northeastern University (NU) proposal to construct a 55,000 SF facility as part of their existing marine research campus on East Point in Nahant.

**TO:** Jeffrey Blake, Jonathon Whitten  
KP Law  
101 Arch Street, 12<sup>th</sup> Floor  
Boston, MA 02110

**FROM:** Craig Seymour  
RKG Associates, Inc.

**DATE:** December 16, 2020

**SUBJECT:** Fiscal Impact of Proposed Northeastern Facility  
Town of Nahant, MA

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### **Purpose and Understanding**

RKG Associates, Inc. (RKG), a real estate planning and economic development consulting firm, was contracted by KP Law on the behalf of the Town of Nahant to provide an independent review of a preliminary financial analysis by the Nahant Board of Selectmen (BOS) with respect to a Northeastern University (NU) proposal to construct a 55,000 SF facility as part of their existing marine research campus on East Point in Nahant.<sup>1</sup>

As RKG understands the issue, the Town is seeking to acquire property on the east end of Nahant, now owned by NU and proposed for additional development and build-out. The Town desires to preserve the property and public access to it in perpetuity, either through a negotiated agreement with NU or through the use of eminent domain, using a combination of private donations and Town bonding supported by the use of Community Preservation Act funds. This approach by the Town is described in a report issued by the BOS in March of this year.<sup>2</sup> The area sought by the Town includes the existing Murphy Bunker, currently used by NU, and directly abuts the Town-owned Henry Cabot Lodge Park.

According to the documents reviewed and research undertaken by RKG for this analysis, NU is proposing to construct an approximate 55,000 square foot research and teaching facility, on and adjacent to the underground Murphy Bunker, as well as other improvements to the property. According to NU's various regulatory filings under the Massachusetts Environmental Policy Act (MEPA),<sup>3</sup> the proposed project will purportedly result in a doubling of the number of personnel now working at the site, from 114 to 228, consisting of faculty, staff and graduate student researchers. As a qualifying not-for-profit educational institution, under state rules, NU is exempt, with limited exceptions, from local property taxes as well as local zoning codes under G.L. Chapter 40A, Section 3 (the "Dover Amendment").

At the outset, RKG's review of the document offered by the BOS (the Report), notes that it is well presented in a summary format, and was supported by worksheets detailing the assumptions used and calculated findings that were provided separately.<sup>4</sup> The Report

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<sup>1</sup> *Preserving East Point as a Wildlife Preserve*, Second Statement of the Nahant Board of Selectman, prepared by the Nahant Board of Selectmen, dated June 23, 2020.

<sup>2</sup> *Taking the First Step in Saving East Point as a Wildlife Preserve FINAL*, dated March 19, 2020.

<sup>3</sup> These documents include the final *Environmental Notification Form*, dated May 31, 2019; the *Supplemental Memorandum to the ENF* dated July 9, 2019 and the *Final Environmental Impact Report*, EEA#16046, March 16, 2020.

<sup>4</sup> *Northeastern - financial impact to Town5.xlsx*, provided to RKG by Robert Vanderslice, a member of the Advisory and Finance Committee.



concludes that the proposed NU expansion will have a serious detrimental fiscal impact on the Town as a result of increased municipal service costs and capital improvements for infrastructure required to support the additional activity resulting from the construction and operation of the proposed facility.

The Report concludes that the proposed NU facility will result in total additional costs to the Town of between \$16.9 and \$21.7 million over a 40-year period. These costs include additional municipal operating expenses as well as recurring upgrades and improvements to the Town's sewer and road infrastructure. The Report also discusses a potential loss of property values in the vicinity of the NU project, and the impact on the Town's tax base, but does not include these estimates in the final tally of costs. The Report discusses Payments in Lieu of Taxes (PILOTs) as a means of having NU, as a not-for-profit institution not subject to property taxes, pay for its share of the purported costs, as is done in other jurisdictions. It further describes an apparent offer by NU to offset any costs to the Town of \$6 million paid over a 40-year period. The Report states in a footnote that "*There is no proposal pending, and it is not clear that Northeastern would be willing to make such a proposal at this time.*" No documentation memorializing this offer was provided and it is therefore not considered further in this analysis.

As a preliminary review of the materials provided to or obtained by RKG, and conversations with the department heads from fire, police and public works, we offer the following:

### **Municipal Service Costs**

The Report estimated potential operating costs associated with the NU expansion by utilizing a per capita average cost approach. This methodology calculated the average cost of providing services across many of the various Town departments, as laid out in the Town budget statements, and divided by the Town's population, resulting in an average cost of \$2,835 per person, as indicated in Table 1 below. This total excludes education costs which are assumed not to be impacted by the project.

This per capita cost was then multiplied by the reported number of new employees at the new NU facility (114), resulting in an annual cost of \$323,139, which was then added over a 40-year period (without inflation) to total \$13.3 million. This same methodology was also used to calculate the impacts using the higher employment estimate reported in NU's initial ENF/DEIR filing of 147, resulting in a forty-year total cost of \$17.2 million. Applying a 2.5 percent inflation rate to this 40-year total increases the costs to \$22.4 million and \$28.9 million, respectively. The report only looked at the new facility and did not include the existing 114 employees at the NU Marine Research Center, who by extension are costing the Town an equivalent amount to support on an annual operating cost basis.

<b>Table 1</b>		
<b>General Fund Expenditures</b>		<b>per capita</b>
Public safety	\$2,818,800	\$802
DPW	\$565,210	\$161
Debt	\$865,137	\$246
State assessments	\$236,357	\$67
Debt shift and stabilization	\$1,483,384	\$422
Health and retirement	\$2,388,472	\$680
Town Government	\$1,600,413	\$456
<b>Total</b>	<b>\$9,957,773</b>	<b>\$2,835</b>

Source: supporting spreadsheet for 6/23/20 BOS Statement

The methodology utilized in the report by the BOS assumed that employees at the NU are the equivalent of residents – implying that they utilize municipal services in a similar fashion. According to NU’s filings, the research and education activities at the facility take place on a continual daily basis over the course of the year. As such, there is activity at the facilities at all times, requiring the Town to provide services on a 24/7, 365 day basis, similar to residents.

Although NU’s MEPA filing indicated a total of 114 new staff, faculty and student researchers, the size of the proposed facility warrants a discussion of other activities that could take place within it and estimates of its maximum supportable capacity. As a research and teaching facility, it is likely to be utilized in a variety of different ways – for conducting on-going research in its labs, for teaching classes or hosting educational seminars and conferences, or potentially for other uses such as office space. As NU is exempt from strict conformance with Nahant’s Zoning Bylaw, it could conceivably use the facility for virtually any use that supports the University’s educational mission.

An analysis undertaken by two MIT faculty members (and Nahant residents) for the Nahant Preservation Trust (NPT)<sup>5</sup> concluded that the proposed facility was over-sized for the uses described in NU’s filings, and that the uses proposed could be accommodated in a building of 30,479 to 35,734 gross square feet. Based on the proposed 114 faculty, staff and students that will be at the facility, this amounts to 267 to 313 square feet per person. Applying these factors to the proposed 55,000 square foot facility indicates that it could support 175 to 205 people.

Similarly, if the proposed 55,000 square foot facility is built for use as traditional office space, and applying industry standards of a 75 percent efficiency factor (i.e. 25 percent of the space is for circulation, bathrooms, storage and mechanical systems) and an average occupancy of 250 square feet per employee, the facility could support as many as 165 employees.

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<sup>5</sup> 5 Nahant Preservation Trust Response to Northeastern University’s Coastal Sustainability Institute Draft Environmental Impact Report, Alternative 1 Review, Dec. 31,2019 (Ex.2 Alternatives analysis.pdf)

There are several approaches available for determining fiscal impacts; all based on the same general assumptions:

- First, current local operating costs and revenues are the best basis for determining future costs and revenues.
- Second, the proposed project is at full build-out and occupancy. This allows for a comparison of the financial effect of the entire project on municipal costs and revenues, as if existing today. While many projects are constructed over a multi-year period, municipal costs and revenues generally occur in equal proportions, therefore this steady-state approach does not detract from the appropriateness or accuracy of this method.
- Third, costs should be directly or indirectly related to the proposed project based on relevant metrics such as usage, activity, or size and to other similar types of uses in the community.

It should also be noted that fiscal impact analysis is only concerned with local public costs and expenditures. All state aid, grants, and non-local one-time sources of revenue are removed from the calculations. Further, fiscal impact analysis focuses on the Town's general fund, which directly impacts the community's tax base. Although specialized funds, such as utility enterprise funds, may also be impacted, those impacts are treated separately from the general fund

RKG used the same average per capita approach to estimate the municipal service costs, utilizing data from the Town's Fiscal Year 2019 general fund expenditures as reported in the Town's published financial statements. These costs were then adjusted as follows:

- Education costs were not included since no school-age children are expected to live at the NU facilities.
- Pension and benefit costs were reduced by subtracting the proportional share of education-related costs (33% of general fund expenses).
- Debt service costs were reduced by subtracting school-related debt share of total debt (27%).

The results of RKG's adjustments are shown in Table 2 below and total \$1,931 per capita.

	2019 General Fund	Adjusted	Per Capita
General Government	\$1,354,329	\$1,354,329	\$386
Public Safety	\$2,653,444	\$2,653,444	\$755
Education (1)	\$3,771,071	\$0	\$0
Public Works	\$464,747	\$464,747	\$132
Health & Human Services	\$83,108	\$83,108	\$24
Culture and Recreation	\$287,562	\$287,562	\$82
Pension Benefits (2)	\$834,826	\$556,265	\$158
Employee Benefits (2)	\$934,405	\$622,617	\$177
Insurances	\$214,570	\$214,570	\$61
State and County Charges	\$128,930	\$128,930	\$37
Debt Service (3)	\$574,611	\$419,505	\$119
<b>Total</b>	<b>\$11,301,603</b>	<b>\$6,785,076</b>	<b>\$1,931</b>
(1) - Education costs excluded			
(2) - Adjustment for Education Share of Benefits			
(3) - Adjustment for Education Share of Debt Service			
Source: Nahant FY19 Financial Statements, RKG Associates			

This per capita cost can then be multiplied by the anticipated users of the proposed NU facility to estimate the total annual municipal service costs to the Town of Nahant associated with it use. Based on the discussion above, the population of the facility and the estimated fiscal impacts has been split into three scenarios:

- Low – 114, the number of users reported in NU’s recent documentation
- Medium – 147, the number reported in NU’s earlier EIS/MEPA filings
- High – 205, the maximum occupancy based on the analysis undertaken by NPT.

These totals are shown below in Table 3.

Scenario	Population	Annual Cost	40 Year Total (constant dollars)	40 Year Total (2.5% inflation)
Low	114	\$220,182	\$8,807,272	\$14,840,816
Medium	147	\$283,919	\$11,356,746	\$19,136,842
High	205	\$395,941	\$15,837,639	\$26,687,432
Source: RKG Associates				

Because Northeastern does not pay property taxes or otherwise contribute to the Town’s general fund revenues, the net fiscal impact on the Town is negative. This analysis further implies that the existing NU facility, with 114 employees, is also costing the town over \$220,000 annually to provide municipal services.

**PRIVILEGED AND CONFIDENTIAL**

Under the assumptions presented in Table 3, and reflecting the inflation adjusted 40-year term, estimated municipal costs could range from \$14.8 million to \$26.7 million, as contrasted to the range of \$22.4 million to \$28.9 million in the Report.

These results, and the methodology used in the BOS report, assumes that the NU facility and its personnel uses municipal services in a manner equivalent to that of full-time residents. This is likely true for services such as public safety (which protects lives and property around the clock) and public works. It can be argued that other municipal activities, for example general administrative services such as voter registration or public health services, and fixed costs such as debt service or pension benefits, are not utilized. While this may be true in the short term, over the 40 year period used in the BOS report, all of the Town's general fund expenditures would be impacted by the increase in population and the additional structures/facilities located at NU's East End campus.

### **Capital Costs**

The BOS report indicated that the proposed NU project would require the Town to incur capital costs to undertake major infrastructure projects *“that the Town has no plans to make without the Northeastern project”*.<sup>6</sup> These projects include \$12 million for sewer upgrades, \$750,000 for a pump station upgrade, \$500,000 for repaving Nahant Road and \$800,000 for repair work to the 40 Steps revetment wall. Only the latter three projects were considered directly attributable to the NU project in the report and were assumed to be bonded for either 10 or 20 years and the debt service cost over the 40-year period, which totaled \$2.95 million, was applied as a project cost. No engineering studies that directly tie these impacts to the project were referred to in the Report.

The capital improvements described in the BOS Report would benefit the NU facility (existing and as proposed) and would also benefit other residents and visitors to Nahant. There was no indication provided that the additional estimated 175 vehicle trips generated by the proposed project (as reported in the DEIS) or wastewater generated by the 114 additional employees would result in failure of these infrastructure components. However, it was indicated by the current and the former DPW directors that one of the pump stations serving the East End is at capacity and will need to be replaced should additional flow be added to the system.

Analyzing infrastructure needs and costs is outside RKG's scope and expertise. In order to accurately and fairly allocate potential capital costs for infrastructure to the proposed NU project, RKG recommends that detailed traffic (including on-going daily use and use during construction of the project) and water/sewer usage studies be conducted that specifically calculate the impacts to and costs to repair or upgrade the infrastructure components cited in the BOS Report.

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<sup>6</sup> 6 Financial Summary page 13 from BOS Report.

### **Other Revenues**

If the project proceeds, NU will be required to pay certain fees for the required building permit to cover the costs of inspections and reviews over the course of construction. Based on the Town's current fee schedule, the building permit fee of \$12 per \$1,000 of cost will generate significant revenue that can be used to offset any additional costs associated with the review and inspection of the building process.

The BOS Report estimated that the cost of the 55,000 square foot building would be on the order of \$55 million, or \$1,000 per square foot. RKG believes this amount to be overstated. Based on construction costs derived from published sources and comparison to other research and educational facilities, RKG estimates the construction cost to be on the order of \$18 million (approximately \$330 per square foot or one-third of that in the Report), resulting in a one-time building permit fee payment of approximately \$220,000. This revenue would be used by the Town for expenses relating to inspections. Commercial construction projects of this magnitude typically include internal inspections and code review by the architects and engineers responsible for the project, or include independent outside review, thereby reducing the amount of effort required by the Town's building inspections staff.

The BOS Report also discussed the alleged NU incentive payment of \$6 million over 40 years. Without a formal proposal or offer from NU to the Town, RKG has not analyzed this further.

### **Other Considerations**

The BOS Report also refers to other potential costs associated with the proposed NU project that would be incurred by the Town. These included the potential reduction in property values to nearby homes during the period of construction, and the resulting shift of the property taxes lost onto the rest of the Town's tax base. RKG is not aware of any studies, reports or research that can be used to definitively estimate the impact to housing values and to assessed values. While such an impact is possible in theory, in today's economic environment of rapidly rising home values, Nahant's unique market position and the relatively short-lived period of construction (the actual impacts of which have not been determined), any impact on prices is likely to be negligible, with any impact more related to a property's time on market than price. Any linkage of property value to the construction of the proposed NU facility will require significant additional analysis by a highly qualified specialist based on specific parcels and a detailed construction schedule and plan.

Lastly, the BOS Report discussed Payments in Lieu of Taxes (PILOT) as a means of estimating what NU would pay in property taxes but for its tax-exempt status. The analysis applied the Town's tax rate of \$10.97 per thousand of assessed valuation, less that portion of the tax rate that applies to education costs (\$3.52), to the estimated value of the new facility (\$55 million), resulting in a potential revenue stream over 40-years of \$14.2 to \$18.4 million. In RKG's opinion, the assessed value of the facility, based on construction costs and comparable facilities elsewhere, would be \$20 to \$25 million including personal property (FF&E), resulting in a forgone tax revenue of approximately \$220,000 to \$285,000 annually, or \$8 to \$11 million over 40-years.

**PRIVILEGED AND CONFIDENTIAL**

Discussions with members of the BOS and others referred to the City of Boston's PILOT formula that is applied to exempt organizations with payment requested on a voluntary basis. RKG's research indicates that Boston encourages exempt organizations to pay a minimum of what they would owe if they were taxable on their tax-exempt property value (typically about one-half of full market value but this varies by use), discounted by approximately 50 percent based on the public benefits provided. Some organizations pay their share while others do not. In FY2019, the City of Boston collected 71 percent of the PILOT requests made from educational institutions in the City.<sup>7</sup>

### **Summary and Conclusions**

Based on the information reviewed and RKG's independent research, the proposed NU expansion of its Marine Research Center on East Point in Nahant will result in a negative fiscal impact to the Town's general fund of approximately \$220,000 to \$395,000 per year, depending on the population of faculty, staff and students who utilize the facility on a daily basis (in addition to the current 114 employees). This fiscal impact estimate would increase—the negative impact would be greater—if NU, now or in the future, expanded the uses and activities on the subject locus beyond that evaluated here. Given the broad latitude granted to educational institutions such as NU by G.L. c.40A , s.3 (the "Dover Amendment"), such an increase in the resulting fiscal impact is reasonably likely, although not ascertainable at this point in time.

The construction of the project will generate one-time fee revenue of approximately \$220,000 from building permit fees, which can be used to cover costs associated with inspections and reviews.

NU will also pay increased water and sewer charges based on any additional usage generated by the new facility and its employees, staff and visitors.

Without more detailed information on the Town's infrastructure systems potentially impacted by the proposed project, RKG cannot estimate any future capital costs that will result from construction and operation of the proposed NU facility.

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<sup>7</sup> See <https://www.boston.gov/finance/payment-lieu-tax-pilot-program>

## **Appendix 19**

### **East Point Appraisal Summary**

This appraisal was commissioned by the Town of Nahant Selectmen, and conducted by Emmet T. Logue, MAI, CRE, of Integra Realty Resources then summarized by attorneys Jeff Blake and James Masterman who are advising the Town on the possibility of the East Point taking by eminent domain.



## **APPRAISAL SUMMARY**

430 Nahant Road, Nahant, Massachusetts

Prepared by:

Jeffrey T. Blake, Esq.  
KP Law  
101 Arch St.  
Boston MA 02110

James D. Masterman, Esq.  
Greenberg Traurig LLP  
1 International Place  
Boston MA 02110

## **CONFIDENTIALITY OF REAL PROPERTY APPRAISALS IN EMINENT DOMAIN**

Massachusetts law provides that the Town of Nahant has the legal right to maintain the confidentiality of all appraisal reports to be used in connection with a potential taking by eminent domain:

1. Appraisal reports are not public records falling within an unambiguous exemption to the Public Records Law (G. L. c. 4 § 7, cl. 26(i)).
2. Appraisal reports are not exchanged during the discovery or any phase of litigation. Because there is no right to review the appraisal report of the owner of property taken, public disclosure regarding the value of property which may be taken by eminent domain would be severely prejudicial to the interests of the Town.
3. Appraisal reports are not evidence at trial.

The full report has been reviewed by the Board of Selectmen who unanimously agree that the report itself be retained as a confidential document. However, the Board requested that counsel prepare a summary of the facts known and opinions held by the appraiser for public disclosure.



## Summary of Salient Facts and Conclusions

Property Name	Northeastern University Marine Science Center
Address	430 Nahant Rd. Nahant, Essex County, Massachusetts 01908
Property Type	Non-profit educational; open space
Owner of Record	Northeastern University
Tax ID	202-0-1
<b>Property Before the Conservation Restriction</b>	
Land Area-acres	20.42
Street Frontage-Ft.	1,357.25
Water Frontage-Ft.	4,265
Gross Building Area-sq. Ft.	14,544 SF
Other Improvements	Murphy Bunker, asphalt paving, landscaping; outbuildings; underground piping and equipment used in conjunction with seawater intake, distribution, circulation and discharge.
<b>Permanent Conservation Restriction</b>	
Land Area-acres	12.45
Street Frontage-Ft.	564.50
Water Frontage-Ft.	4,265
Building improvements	None
Other Improvements	Murphy Bunker-Air Rights
Zoning Designation	NR-Natural Resource District
Highest and Best Use -Before the Conservation Restriction	Continued Non-profit Educational, non-profit outdoor recreational, and open space conservation use
Highest and Best Use- After the Conservation Restriction	Continued Non-profit Educational, non-profit outdoor recreational, and open space conservation use
Exposure Time; Marketing Period	6-12 months; 6-12 months
Effective Date of the Appraisal	May 22, 2020
Date of the Report	September 9, 2020
Property Interest Appraised	Permanent Non-exclusive Conservation Restriction

Value of Permanent Conservation Restriction	\$1,870,000
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The values reported above are subject to the definitions, assumptions, and limiting conditions set forth in the accompanying report of which this summary is a part. No party other than Greenberg Trauig LLP, Attorneys at Law and Counsel at Greenberg Trauig LLP, Seyfarth Shaw LLP, KP Law, and Lurie Friedman LLP may use or rely on the information, opinions, and conclusions contained in the report. It is assumed that the users of the report have read the entire report, including all of the definitions, assumptions, and limiting conditions contained therein.

## Appraiser

Emmet T. Logue, MAI, CRE, of Integra Realty Resources – Boston, prepared an appraisal of the total reduction in market value of the fee simple interest in the 20.42± acre Northeastern University property at 430 Nahant Road, Nahant, Massachusetts (“Property”), as a result of a proposed permanent, non-exclusive, conservation restriction easement taking on a 12.45± acre portion.

Mr. Logue’s qualifications are attached.

## Appraisal Standards

The appraisal conforms to the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, and applicable Massachusetts state appraisal regulations, including the Manual of Massachusetts Eminent Domain Appraisal Law. Mr. Logue’s opinions are based on his personal inspection of the Property and environs, analysis of relevant property and market data and on the appraiser’s experience with valuation assignments with similar property characteristics, constraints and opportunities.

## Appraisal Conclusion

Based on the valuation analysis in the appraisal report, summarized herein, and subject to the definitions, assumptions, and limiting conditions expressed therein, Mr. Logue arrived at the following opinion of damages due the proposed easement taking on 12.45± acres of the Property:

<b>Value Conclusion</b>			
Appraisal Premise	Interest Appraised	Date of Value	Damage Conclusion
Market Value	Permanent Non-exclusive Conservation Restriction	May 22, 2020	\$1,870,000

## Neighborhood Description

The neighborhood in which the Property is located is referred to as East Point which includes properties with water frontage or views and is among the most desirable residential areas of Nahant. The easternmost point of the neighborhood includes the Property and the adjacent 8.3± acre town owned Lodge Park. Residential property values in the East Point area along Swallow Cave Road, Cliff Street, Vernon Street and adjacent sections of Nahant Road are generally in excess of \$1,000,000 for many of the oceanfront properties including large house lots. Turnover is limited with only two sales occurring in the past four years at \$2,200,000 for a water view property in 2016 and \$815,000 for a non-waterfront property in 2018. Residential property values in East Point have increased significantly in the past several years.

## Property Description

The Property, from which the proposed conservation easement will be taken, is an irregular-shaped, 20.42± acre site at East Point off the east end of Nahant Road and the east side of Swallow Cove Road abutting Lodge Park and fronting on Massachusetts Bay. The Property has 4,265 lin. feet of water frontage on the northerly and southerly boundaries, including Canoe Beach and Bathing Beach at the northwest corner and along the southwest boundary, respectively.

The Property is improved by the buildings used by Northeastern University's Marine Science Center ("MSC") clustered on a southwesterly 7.97± acres portion. The MSC improvements include a one-story wood frame classroom, office and research building containing 14,544 sq. ft. of gross floor area, a number of smaller outbuildings. Notable is an underground former military battery, known as the Murphy Bunker or Battery, built into a hillside and used for classroom and lab. Accessory parking is available; access is by Nahant Road.

Approximately 12.45± acres of the Property are undeveloped, coastal open space consisting principally of waterfront, meadow, woodland and exposed rocky shore line. This 12.45± acres is the area targeted for the conservation easement.

## Description of the Easement Area and the Remainder After the Taking

### A. Easement Area to be Taken by Eminent Domain

The portion of the Property to be encumbered by the proposed permanent conservation easement ("Easement") to be taken by eminent domain ("Taking") consists of 12.45± acres in the northerly section east of Nahant Road and north of Lodge Park and the southerly part of the site southwest of Lodge Park and southeast of the MSC campus ("Easement Area"). The Easement Area is predominantly open space, including all of the Property's water frontage, Canoe Beach and the Bathing Beach areas, and 565+/- feet of street frontage at the end of Nahant Road. The Easement Area also encompasses the air rights/development rights above the Murphy Bunker.

### B. Easement Rights to be Taken

The Taking is of an easement. The Easement imposes a restriction on the use of the Easement Area similar to limits on use imposed by the existing Natural Resource zoning district (see below). The Easement will limit use of the Easement Area to non-profit outdoor recreation, conservation, preservation, and natural resource uses which essentially has been the use of this land for over 50 years. The Easement will "take" the development rights within the Easement Area, including those over the Murphy Bunker, but will not impact continued classroom and lab use of the Murphy Bunker. In addition, the Easement will take the owner's exclusivity rights (e.g., the right to exclude others), making the Easement Area open and accessible to the general public.

After the Taking, the total acreage remaining in Northeastern's ownership is the same 20.42± acre land area. Street and water frontage are the same after the Taking as before. The Easement does not include the buildings or other MSC related improvements. The remainder

property is left with all the improvements intact. In the Easement Area, non-profit educational and religious uses (so-called Dover Amendment uses) are permitted after the Taking as had been before under existing zoning. The Easement will eliminate development in the Easement Area preventing construction of all buildings and other improvements, including those for educational and religious uses. What had been private property before the Taking with the right of the owner to exclude others, after the Taking, the general public will be permitted to access the Easement Area. The Town will control the Easement Area for the benefit of the general public. Northeastern (and its successors) will be permitted to use the Easement Area as before, but that use is no longer exclusive, but is shared with the general public after the Taking.

## Market Conditions

As of the date of value, the economy (globally, nationally, and locally) was in a state of transition with some concern of the onset of a recession. The outbreak of COVID-19 was declared a global pandemic by the World Health Organization (WHO) on March 11, 2020. Some market deterioration had occurred shortly before this date, but the declaration by the WHO soon led to municipal and statewide orders to “shelter in place,” causing widespread closures of businesses and a massive disruption to general commerce. The fluid nature of economic conditions is contributing to significant uncertainty in the markets. The effect COVID-19 will have on the local and regional real estate markets is currently unknown and will depend, in part, on the scale and longevity of the outbreak. As of the date of valuation, the single family suburban real estate market, including Nahant, was steadily improving due to limited inventory, increased relocation from the cities to the suburbs, and low interest rates. The impact of COVID-19 on economic conditions is considered throughout this appraisal.

## Assessment and Real Estate Taxes

The tax rate in the Town of Nahant for Fiscal Year 2020 is \$10.97 per \$1,000 of assessed value for residential and commercial properties. The Town of Nahant has adopted the Community Preservation Act (CPA) and applies a 3.0% CPA charge. The real estate assessment for FY 2020 is shown in the following table.

<b>Assessment</b>			
Tax ID	Assessed Value		
	Land	Improvements	Total
202-0-1	\$3,421,300	\$1,967,200	\$5,388,500

## Zoning

The Property is located in the Natural Resource (NR) zoning district as described in the Nahant Zoning By-Law, as amended. The NR District is intended for natural resource and recreation uses. In summary, uses allowed by right within the NR district are restricted to non-profit educational and religious purposes to the extent required by M.G.L. c. 40A, § 3 (The Dover Amendment), non-profit outdoor recreation, agriculture, conservation related uses and environmental monitoring. The NR does not allow by right or by special permit any private development, such as residential, commercial or industrial use. While the Dover Amendment prevents municipalities from

prohibiting, regulating or restricting the use of land for educational purposes by a non-profit educational corporation, such as Northeastern, it does not require towns to allow for-profit educational or private development.

## **Valuation**

### **A. Highest and Best Use**

The determination of highest and best use (“HBU”) is the foundation of valuation. The first step is to determine HBU as it exists before the Taking. Because the proposed Taking is only a portion of the Property, the appraiser must also determine whether the Taking impacted HBU after the Taking.

Within the marketplace for waterfront land, the possible uses and users of the Property are not for-profit, economic entities because the NR zoning and Dover Amendment do not allow any for-profit developments. A purchaser of the Property, before and after the Taking, would, therefore, not be competing with a for-profit developer because for-profit use(s) are not allowed at the Property, before or after the Taking. For these reasons, the Easement will not change the highest and best use of the Property:

Before the Taking: For continued non-profit educational, conservation, preservation and natural resource use.

After the Taking: For continued non-profit educational, conservation, preservation and natural resource use.

### **B. Definition of Market Value**

Because this is an assignment related to a potential taking, the appraiser must follow Massachusetts law in determining value and the damages owed to the owner. Under established law, the criterion for just compensation is the fair market value of the property taken defined as the highest price which a hypothetical willing buyer would pay to a hypothetical willing seller in an assumed free and open market, neither party being under any obligation to buy or sell.

### **C. Partial Taking: Severance**

When a taking by eminent domain is made of only a portion of the property, or as here, of rights from the property, the appraiser is required to determine whether that taking has resulted in a diminution in value to the remaining property, called the “remainder.” This is referred to as “severance” (e.g., a portion is severed off the whole) and the landowner is entitled to be paid “severance damages,” if any. The difference between the value of the property before and the value of the property after the taking is the measure of severance damages.

In the Easement Area itself, Northeastern is left with its ownership in fee intact of the same total acreage before as after. However, all development rights in the Easement Area have been taken preventing development of any nature or intended use. The right to use the



Easement Area remains the same before and after the Taking. Access to Easement Area will be shared with the general public where it was exclusive to the owner. In the 7.97± acre remainder after the Taking, Northeastern (or its successor) has the legal right to use that portion for the same purposes as before the Taking. No building or other improvement is adversely impacted. Development rights in the remainder are unchanged. Access is unaffected.

Mr. Logue concluded that there is no diminution in value to the remainder (e.g., no severance) and that the full damages may be assessed by determining the diminution in value of the Easement Area alone.

#### D. Sales Comparison Approach

##### a. Value of the Easement Area Before the Taking

In determining the fair market value of the Easement Area, Mr. Logue used the Sales Comparison Approach.

Mr. Logue relied on the best available sales data for waterfront land, adjusted where necessary for differences in location and physical characteristics. The sales that Mr. Logue found most helpful are attached hereto as Exhibit 1. Each has ocean or bay frontage and is situated in a primarily residential neighborhood. The Development Land comparable sales all have private, for-profit development potential by reason of their zoning, but each is reasonably similar to the Property in terms of location, topography, water frontage and/or view. The Limited Development Land comparable sales are predominantly conservation or open space.

Price paid per acre of total land area is the appropriate unit of comparison. Total land area was used because the values per acre of total land area and useable land area for sites like the Property, which do not have private development potential, vary less significantly than for sites with private development potential where the utility, highest and best use and value are based primarily on the amount of useable/developable area on the site.

Based on an analysis of those sales as compared to the Property, Mr. Logue arrived at a land value conclusion in fee, before the taking, for the 12.45 acres as follows:

<b>Land Value Conclusion</b>	
Indicated Value per Acre	\$200,000
Land Area to be Restricted-acres	12.45
Indicated Value in Fee	\$2,490,000
Rounded	\$2,500,000

b. Value of the Easement Area After the Taking

Taking of an easement is not a taking of the entirety. Northeastern (and its successors) is left with its fee simple interest in the land remaining subject to the Easement which has value. Based on analysis of the property rights to be taken in the Easement Area, particularly the restriction preventing development and the rights of the Town to access the Easement Area at any point and to control use of the Easement Area for the benefit of the Town and public, but also considering the property rights to be retained by the owner, Mr. Logue concluded that a maximum of 75% of the bundle of rights within the Easement Area would accrue to the Town.

Applying the 75% shared use adjustment to the 100% property rights, the weighted easement rights to be taken are 75%, meaning that the value of the property rights retained by the owner have been reduced by 75%. Applying this percentage to the estimated fee simple value of \$200,000 per acre, the value of the fee interest in the 12.45± acres remaining is \$50,000/acre and the damages sustained are equal to \$150,000 per acre.

E. Value Conclusion – Opinion of Land Damages as a Result of the Taking

Based on the valuation analysis in the appraisal report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, Mr. Logue concluded that it is his opinion that the damages resulting from the Taking of the Easement and owed as just compensation are as follows:

<b>Value Conclusion</b>			
Appraisal Premise	Interest Appraised	Date of Value	Damage Conclusion
Market Value	Permanent Non-exclusive Conservation Restriction	May 22, 2020	\$1,870,000

**Exhibit 1**

**DEVELOPABLE LAND SALES**

Location	Land Area	Use	Date	Price	Price/Acre
35 Littles Point Rd, Swampscott	6.28 ac	20 Resi Units	12/18/17	\$2.75M	\$477,707 (incl. demo)
155 Mishaum Point Rd., Dartmouth	4.5 ac	1 House Lot	9/15/18	\$2.3M	\$511,111
135 Putnam Ave., Cotuit	11.78 ac	3 House lots	5/5/19	\$5,045,000	\$428,268
130 Glades Rd., Scituate	3.3 ac	1 House lot	5/15/20	\$2,175,000	\$659,091
373 Summer St., Manchester	5 ac	1 House lot	5/22/17	\$1,350,000	\$270,000
397-405 Washington St., Duxbury	11.16 ac (net 10.38 ac)	8 House lots	11/1/17	\$7M (net \$6.2M)	\$597,302
298 Argilla Rd., Ipswich	20.5 ac	1 House lot	9/23/16	\$2.5M	\$121,961

**LIMITED DEVELOPMENT LAND SALES**

Location	Land Area	Use	Date	Price	Price/Acre
75 Coles Island Rd., W Gloucester	19.5 ac	Conservation open space	5/31/19	\$500,000	\$25,641
83-97 Coles Island Rd., W Gloucester	52.3 ac	3 house lots	5/31/19	\$2.8M	\$53,537
20 Howard Beach, Mattapoiseett	7.57 ac	Conservation Open Space	1/31/20	\$250,000	\$33,025
Salt Island, Gloucester	5 ac	Conservation Open Space	12/21/17	\$250,000	\$50,000

## Emmet T. Logue, MAI, SRA, CRE

### 1. Experience

Emmet T. Logue, MAI, is Executive Director of Integra-Boston. Mr. Logue previously managed the Hunneman appraisal group since 1978 and has been a professional appraiser since 1970. He is a Member of the Appraisal Institute (MAI) and the Counselors of Real Estate (CRE®). His experience includes residential, commercial, industrial, special purpose, and vacant land assignments throughout Massachusetts, Rhode Island, and southern New Hampshire. He has completed fee appraisal, real estate counseling, review appraisal, marketability, and highest and best use assignments for acquisition, disposition, condemnation, city planning, assessment equalization, corporate decision making, probate, estate planning, mortgage financing, and reuse purposes.

### 2. Professional Activities & Affiliations

Appraisal Institute, Member (MAI) Appraisal Institute  
Appraisal Institute, Senior Residential Appraiser (SRA) Appraisal Institute Counselor of Real Estate (CRE) Counselors Of Real Estate  
Member: Lambda Alpha International Member: Greater Boston Real Estate Board Mortgage Brokers Association (MBA)  
National Council of Real Estate Investment Fiduciaries (NCREIF) National Multifamily Housing Council (NMHC)

### 3. Licenses

Massachusetts, Certified General, 349, Expires January 2022  
New Hampshire, Certified General, NHCG-117, Expires January 2021

### 4. Education

Graduate of Boston College with Bachelor of Science Degree in Finance.

Successfully completed numerous real estate appraisal courses and seminars pertaining to a wide variety of properties and valuation concepts.

He has completed the continuing education program for Designated Members of the Appraisal Institute.

### 5. Qualified Before Courts & Administrative Bodies

Mr. Logue has qualified as an expert witness in Superior Court in Eastern and Central Massachusetts counties as well as Massachusetts District and Probate Courts, the Massachusetts Appellate Tax Board, Federal Bankruptcy Court and Massachusetts Land Court. He has participated in arbitration panels and other alternate dispute resolution matters.



**APPENDIX 20**

**Town Meeting Frequently Asked Questions**

*"Any registered voter of the Town shall have the right to speak and vote at Town Meeting sessions"*

Charter of the Town of Nahant

## 1. How Do I suggest a change in what the Town is planning to spend?

- The right to submit a proposition belongs to all members (of Town Meeting) alike. There can be no monopoly on motion-making"\*
- By tradition in Nahant, as in most towns, the FinCom makes the first motion on each Article, in line with the committee's published recommendations. Where the FinCom is in favor of an Article, the motion will spell out how the committee proposes to adopt the Article. If a citizen disagrees, a motion to amend the FinCom's motion can be made.
- Where the FinCom recommends against adoption of an Article, the motion will usually be to "indefinitely postpone action on this Article." If, after any discussion, a majority vote is taken in favor of that motion, no other motions or actions will be considered in connection with that Article. If a citizen disagrees, the way to overcome the FinCom's proposed indefinite postponement is to convince a majority of the voters to vote against the motion for indefinite postponement. After that motion is defeated, a new motion must be made so that the Town can take the voter's desired action on the Article.
- The Moderator will be giving clear instructions on each Article. He will also respond to any point of information you may raise.
- In general, one can speak to the motion on the floor (**Rules:** one may not speak more than twice or for more than 10 minutes on any one motion. State your name and address in Town, address your remarks to the Moderator, and the speaker is not to indulge in personalities\* )
- The form for making an amendment: "I move the pending motion be amended by the following words \_\_\_\_\_"\*
- For the sake of clarity, complicated proposed amendments need to be written out.
- Most spending is contained in the Omnibus Article. Each line will be recited. If you have any question or disagreement with any particular line item, you should yell the word "PASS" when that item is read.
- The Town Meeting will return to discuss all "passed" items for discussion before the vote is taken on the total spending. If you wish to increase spending on any line item, you must identify the source of funds - that is, what items would be reduced in order to pay for your proposed increase.

## 2. What Motions require a Majority vote in order to pass?

- Most motions require a simple majority vote to pass.

- Motions to indefinitely postpone require a simple majority, as well as motions to amend.
- The Town Moderator will explain the requirements required to approve each motion as it is presented.

### 3. What Motions require a 2/3 majority?

- Generally, motions which will make substantial changes to citizens' property rights, e.g., motions to change the zoning bylaws, or motions which will put the Town into debt, require a two thirds vote.
- The Moderator will explain the requirements to approve each motion as it is presented.

### 4. What motions require a ballot vote?

- Some motions automatically require a ballot vote, most notably a motion which would set salaries of Town employees. Other motions can be by ballot vote if the requisite number of voters want it
- Nahant By-Laws Article II section 9: "the Meeting may order that the vote on any motion shall be taken by a "yes" or "no" ballot furnished by the Town Clerk if, on a motion so made, there shall be 25 or more votes in the affirmative."
- The Town Moderator will explain the requirements required to approve each motion as it is presented.

### 5. What is Proposition 2 1/2 and what does it mean for Nahant?

- Proposition 2 1/2 is a State law that places a ceiling on the total amount of taxes that a Town can raise; and it also limits the percentage by which a town's tax revenues can increase from year to year. Proposition 2 1/2 has no relevance as far as tax increases on individual properties are concerned; it relates only to the total amount of taxes raised by the Town. Your Town's taxes can rise by more than 2 1/2% through:
  - **Exclusions** of the cost of debt or spending for capital purposes must first be approved by a two-thirds vote of the local legislative body before appearing on the ballot. The idea is that such costs are outside the regular budget for providing local services; a town may need a new school or wish to acquire land that it could not afford within its tax limits. Exclusions are limited to the life of the expenditure.
  - **Overrides** are permanent increases in the tax limit. An override, for a specific amount, must be approved by the municipality's legislative body and placed on the ballot for approval by the voters. No override may increase property taxes above the maximum rate of 2.5 percent of full value\*\*



## **6. How are Fees established and what are they used for?**

- The Board of Selectmen set the fees for the Town. Trash collection is a fee negotiated with the contracted haulers.
- Water and Sewer fees cover assessments levied by MWRA for Water, Lynn Water & Sewer for sewage.

## **7. How does Education Reform Law affect the way we run our schools?**

- The Education Reform Act of 1993 sets certain standards for the components and totals of local spending on the school system and at the same time sets standards for improved student performance.
- No town is permitted to spend less than Net School Spending. The formula for Net School Spending is set by the Governor's office and the Department of Education. You are free to ask at any time whether Nahant is at or above Net School Spending.

## **8. How can I best participate in Town government?**

- Nahant has a long tradition of utilizing the talents and time of its good citizens. They are often called to share in tackling interesting assignments as members of our many committees. Almost all will tell you, as your FinCom members do here, that the experience is a good one.
- The Moderator has set up a talent/job bank and would like to see as many citizens as possible enter their names for consideration.

**Sources:** \* **Town Meeting Time, A Handbook of Parliamentary Law** Johnson, Trustman, Wadsworth Third Edition 2001<sup>[L]</sup><sub>[SEP]</sub>\*\* **The Issues Book Public Policy Issues in Massachusetts**

Compiled By Richard Manley Senior Fellow John W. McCormack Institute of Public Affairs, University of Massachusetts Boston

***Glossary of Terms Used in This Book and at Town Meeting:***

**Appropriation:** An authorization to make expenditures and to incur obligations for specific purposes. An appropriation is granted by Town Meeting and is usually limited in time and amount as to when it may be expended. Any part of the general appropriation not spent or encumbered by June 30 automatically reverts to surplus. A specific appropriation is carried forward from year to year until spent for the designated purpose or transferred by Town Meeting vote to another account.

**Assessed Valuation:** A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

**Budget:** A plan of financial operation consisting of an estimate of proposed expenditures for a given period and the means of financing them. The budget is voted in the spring at Town Meeting for the fiscal year that begins the following July 1st.

**Capital Budget:** A plan of proposed capital outlays and the means of financing them for the current year.

**Cherry Sheet:** An annual statement received from the Massachusetts Department of Revenue detailing estimated receipts for the next fiscal year and the estimated state and county government charges payable. These amounts are used by the assessors in setting the tax rate. The actual receipts and charges may vary from the estimates.

**Community Preservation Act (CPA):** This Act allows the town to collect a 3% surcharge on property tax bills (the funds can be matched up to 100% by the state when funds are available), which creates the Community Preservation Fund, to use for Community Preservation purposes. Each year, the town must appropriate, or reserve (but not necessarily spend), 10% of the funds for each of the three Community Preservation purposes: Open Space, Historic Resources, and Community Housing. The remaining 70% of the funds can be appropriated or reserved used for any of the three purposes and for Recreation and for administration.

**Compensating Balance Agreement:** An alternative to the payment of direct fees for banking services. In this case, a bank specifies a minimum balance that the municipality must maintain in non-interest bearing accounts. The bank can then lend this money (subject to a reserve requirement) and earn interest, which will at least cover the cost of services provided to the municipality. Compensating balance agreements are permitted under MGL Ch. 44 §53F and must be approved annually by town meeting or the city council.

**Debt Service:** Payment of interest and repayment of principal to holders of the Town's debt instruments.

**Enterprise Fund:** In Governmental Accounting, an Enterprise Fund is a Fund that provides goods or services to the public for a fee that makes the entity self-supporting. An Enterprise Fund basically follows Generally Accepted Accounting Principles (GAAP)

as do the operations of private business entities. The intent of Enterprise Funds is to have the expenses (both direct and indirect) of providing goods or services on a continuing basis financed or recovered primarily through charges to the user.

**Fiscal Year:** A 12-month period, commencing July 1 and ending June 30, to which the annual budget applies. Fiscal years are often denoted FYXX with the last two numbers representing the calendar year in which it ends, for example FY11 is the fiscal year ended June 30, 2011.

**Free Cash:** Free cash is the portion of unreserved fund balance available for appropriation. It is not cash but rather is approximately the total of cash and receivables less current liabilities and earmarked reserves reduced also by reserves for uncollected taxes. This is also referred to as “available cash”. The amount is certified annually by the Massachusetts Department of Revenue.

**General Fund:** The major town owned fund which is created with town receipts and which is charged with expenditures payable from revenues.

**Line-Item Budget:** A format of budgeting that organizes costs by type of expenditure such as expenses, equipment, and salaries.

**Overlay:** The amount set aside to allow for uncollected property taxes. An amount for overlay is added to the appropriations and other charges. The “Overlay Surplus” is the portion of each year’s overlay account no longer required to cover property tax abatements.

**Overlay Surplus:** The unused amount of the overlay for prior years, which may be transferred, by vote of the Town, to the reserve account or used for extraordinary items.

**Property Tax Levy:** The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed “per thousand dollars” of assessed valuation.

**Reserve Fund:** Money set aside by Town Meeting to be allocated by the Advisory Board for extraordinary or unforeseen expenditures.

**Stabilization Fund:** A special reserve funded by Town Meeting for future expenditures.  
**Terms associated with Proposition 21/2:**

**Debt or Capital Exclusion:** The Town can assess taxes in excess of the levy limit by voting a debt exclusion or capital outlay exclusion. This amount does not become a permanent part of the levy limit base, but does allow the Town to assess taxes for a specific period of time in excess of the limit for payment of debt service costs or for payment of capital expenditures.

**Excess Levy Capacity:** The difference between the Town's tax levy limit and its actual tax levy for the current year. It is the additional tax levy that could be raised without

asking for an override.

**New Growth:** The amount of property tax revenue that the Town can add to its allowable tax levy as a result of new construction, alterations, subdivisions or change of use which increases the value of a parcel of land by more than certain amounts.

**Override:** An amount, voted by the Town, which is permanently added to the levy limit. A majority vote of the Selectmen allows an override question to be put on the ballot. Override questions must be presented in dollar terms and must specify the purpose of the override. Overrides require a majority vote of approval by the Town.

**Tax Levy Limit:** The maximum amount of the tax levy for a period under the restrictions of Proposition 21/2. It is calculated as the prior year limit plus new growth plus 2.5% of the prior year levy limit.

## NOTES

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The **EAST POINT** sunset is like no other. As the sun falls and the sky ignites with a blazing orange and the endless ocean blends with the horizon, I think of how amazing this place is. East Point truly is a special place.

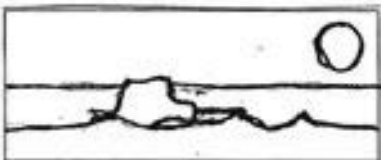
-Sam Morse



As the sun and sky of red, purple, pink and blue sinks below the horizon, Nahanters wrap up their fun filled visit to their dogs' favorite place, **DOGGIE BEACH** is a place that no dog wants to leave. -Nora O'Reilly



You can see the beautiful Boston skyline. when you look at the glistening sea. You view the sparkling sunset when you are on the beach or play in the sea. **BASS POINT** great place to be. -Bella Raffaele



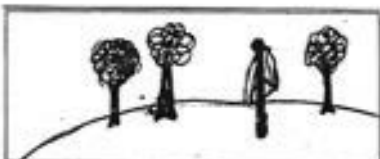
When you look out at shimmering sea, under the bright sunset, you see a mysterious rock that looks like a white snowy hill. **EGG ROCK** stays empty while it stands out in the deep blue sea. Ava Ferragamo



The **LIBRARY** is one of the most historical places in Nahant, there is nothing like it. Whether you are coming there to study or find a good book, you will always have a good time. -Michelle Hayes



The bright sunlight shines down on the beautiful water and sand of **TUDOR BEACH**. You can hear the wind howling and see the seagulls bob up and down in all of the oncoming waves. As the crabs and clams burrow into the sand, it is the perfect place to be. -Eddie Cauley



The grass shines and glimmers. The **GOLF COURSE** celebrates your wins. Memories are here as families gather. -Violet Fritz



Whether it is watching the sun rise or set, **BAILEY'S HILL** is a place where a lot of great memories are made. -Sarah Lewis



**Nahant Town Hall  
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